



OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

PLANNING REGULAR AND WORK SESSION AGENDA

May 05, 2015

5:00 p.m.

Pledge of Allegiance

Roll Call:

1. Petitions, Applications and Public Hearings

1.1. Legislative Item:

a. New Business

1. SUBVAC 2014-03

Consideration and action on a request to vacate Lot 13 of the Liberty Meadows Subdivision as part of a plat amendment to correct the location of a drainage easement and to reconfigure the Lot lines that have been established through previously recorded boundary line adjustment located at 3500 E 3700 N, Eden UT (Cecil Satterthwaite, Applicant)

2. Public Comment for Items not on the Agenda

3. Remarks from Planning Commissioners

4. Planning Director Report

5. Remarks from Legal Counsel

6. Adjourn to Convene to a Work Session

WS1. DISCUSSION: Weber County Land Use Code Revision Process: Conditional Use Code

WS2. DISCUSSION: Weber County Land Use Code Revision Process: Land Use Table (Agricultural Uses)

*The meeting will be held in the Weber County Commission Chambers, Weber Center, 2380 Washington Blvd., Ogden UT
Work Session will be held in the Commission Chambers Breakout Room. A pre-meeting will be held in the Commission
Chambers Breakout Room beginning at 4:30 p.m.*



*(In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the
Weber County Planning Commission 24 hours in advance of the meeting at 801-399-8791)*



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request to vacate Lot 13 of the Liberty Meadows Subdivision as part of a plat amendment to correct the location of a drainage easement and to reconfigure the lot lines that have been established through previously recorded boundary line adjustment.

Agenda Date: Tuesday, May 05, 2015

Applicant: Lynn C. and Melanie C. Satterthwaite, and Brett Satterthwaite Trust

Authorized Agent: Cecil Satterthwaite

File Number: SUBVAC2014-03

Property Information

Approximate Address: 3500 East 3600 North Eden, UT

Project Area: 3.2 Acres

Zoning: AV-3

Existing Land Use: Residential/Agricultural

Proposed Land Use: Residential/Agricultural

Parcel ID: 22-066-0011

Township, Range, Section: Township 7 North, Range 1 East, Section 20

Adjacent Land Use

North: Residential/Agricultural	South: Residential/Agricultural
East: Agricultural	West: Residential

Staff Information

Report Presenter: Ronda Kippen
rkippen@co.weber.ut.us
801-399-8768

Report Reviewer: SW

Applicable Ordinances

- Title 104, Zones, Chapter 6, Agricultural Valley (AV-3) Zone

Type of Decision

Legislative Decisions: When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. When making a recommendation, on a legislative matter, the Commission will typically consider a proposal's compatibility with the general plan and existing codes.

Background

The Liberty Meadows Subdivision was recorded in 1972 and consists of 20 lots (see Exhibit A). In December of 1976, it was brought to the attention of the Weber County Surveyor/Engineer that a 40' easement was erroneously located on the recorded plat map and needed to be corrected (see Exhibit B). After performing a field inspection, the Weber County Surveyor/Engineer confirmed that the 40' easement was in the wrong location and recommended that an easement vacation take place and that a new drainage easement be established after completing a new survey. In 1977, a building permit was issued for the construction of a single family home on Lot 13 in the Liberty Meadows Subdivision without the easement being relocated to the correct location. It appears that the recommended easement vacation and the corrected drainage easement dedication have not taken place; however, deeds have been exchanged modifying the configuration of the originally platted Lot 13 outside of the required subdivision amendment process. The applicant would now like to construct a new accessory building and it has been determined during the review of the accessory building land use permit, that not only is there an inaccurate easement running directly over the existing single family home but the desired location

of the accessory building would straddle the original eastern lot line. The applicant has submitted a request to vacate a portion of the Liberty Meadows Subdivision due to a small portion of the original Lot 13 being excluded from the new lot configuration (see Exhibit C). As part of the required vacation process, a public hearing must take place prior to the Planning Commission forwarding a recommendation to the Weber County Commission. The applicant has also submitted a small subdivision application to reestablish the property lines and dedicate a drainage easement in the correct location (see Exhibit D). Once the applicant receives the required approvals for the small subdivision, a new plat will be recorded as "Liberty Meadows Subdivision 2nd Amendment" and the new lot will be known as Lot 24, consisting of 3.663 acres. The new lot configuration complies with County Subdivision and Zoning Codes. The subdivision lot vacation process officially removes from record the existing legal description of the lot that will be replaced by the amended subdivision.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by maintaining the Valley's Rural Character and natural setting.

Zoning: The subject property is located in an Agricultural Zone more particularly described as the AV-3 zone. The purpose and intent of the Agricultural Valley AV-3 zone is identified in the LUC §104-6-1 as:

"The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

Plat Vacation: In 2014, the Utah Code governing the process to vacate or amend a subdivision plat was changed. Utah Code now allows for the recordation of an amended subdivision plat to vacate the original subdivision or a portion of the subdivision; however, since a small portion of the original lot will not be included in the new configuration and has been combined with a parcel outside of the subdivision, that portion of Liberty Meadows Subdivision must be vacated by ordinance per Utah Code §17-27a-608 and 17-27a-609. Utah Code §17-27a-609(3)(a) states:

"A legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated".

Per Utah Code §17-27a-609(1) the land use authority may approve the vacation of a plat if the land use authority finds that:

"(a) there is good cause for the vacation or amendment; and

(b) no public street, right-of-way, or easement has been vacated or amended."

As noted in the 1976 letters (see Exhibit B), the current drainage easement is not only located in the wrong area but there has never been any type of rights dedicated to the easement for access, maintenance, etc. Based on this alone, staff feels that there is good cause for the vacation of Lot 13 and that no public street, right-of-way, or easement is being vacated. The new small subdivision will locate the drainage easement in the correct area as well as grant ingress and egress for maintenance of the drainage area (see Exhibit C). The proposed ordinance that must be recorded to formally vacate Lot 13 of the Liberty Meadows Subdivision has been prepared and is part of this staff report as Exhibit E.

Tax clearance: The 2014 property taxes have been paid in full. The 2015 property taxes will be due in full on November 1, 2015.

Public Notice: A notice for a Public Hearing has been posted in the local paper, State and County website and mailed to the affected entity at least 10 calendar days before the first public hearing meeting both State and The Uniform Land Use Code of Weber County, Utah (LUC) noticing requirements. The noticing included all property owners of record within 500 feet of the subject property per noticing requirements outlined in LUC §26-1-7(c) (uncodified ordinance# 2012-14).

Summary of Planning Commission Considerations

A request has been made to vacate a portion of Liberty Meadows Subdivision more correctly identified as all of Lot 13, Liberty Meadows Subdivision. The Ogden Valley Planning Commission should consider the following:

- Does the proposed vacation meet the goals and objectives of the Ogden Valley General Plan?
- Does the proposed vacation conform to the applicable County ordinances?
- Does the proposed vacation conform to the applicable State Codes?

Staff Recommendation

Staff recommends vacating a portion of the Liberty Meadows Subdivision known as Lot 13, located at 3500 East 3600 North Eden, UT. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. Upon receiving approval from the County Commission, the ordinance to vacate all of Lot 13 in the Liberty Meadows Subdivision will be recorded with a new small subdivision known as Liberty Meadows Subdivision 2nd Amendment.

The recommendation is based on the following findings:

1. The proposed subdivision vacation supports and conforms to the Ogden Valley General Plan.
2. The proposed subdivision vacation complies with applicable County ordinances.
3. The proposed subdivision vacation complies with the applicable State Code.
4. The proposal will not vacate any public streets, rights-of-way or easements.
5. The vacation will allow for a new subdivision plat to move forward, correcting the location of the drainage easement and granting rights for ingress and egress for maintenance to Weber County; therefore the proposal shows good cause for the vacation.
6. The proposed subdivision vacation will not be detrimental to the public health, safety, or welfare.
7. The proposed subdivision vacation will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

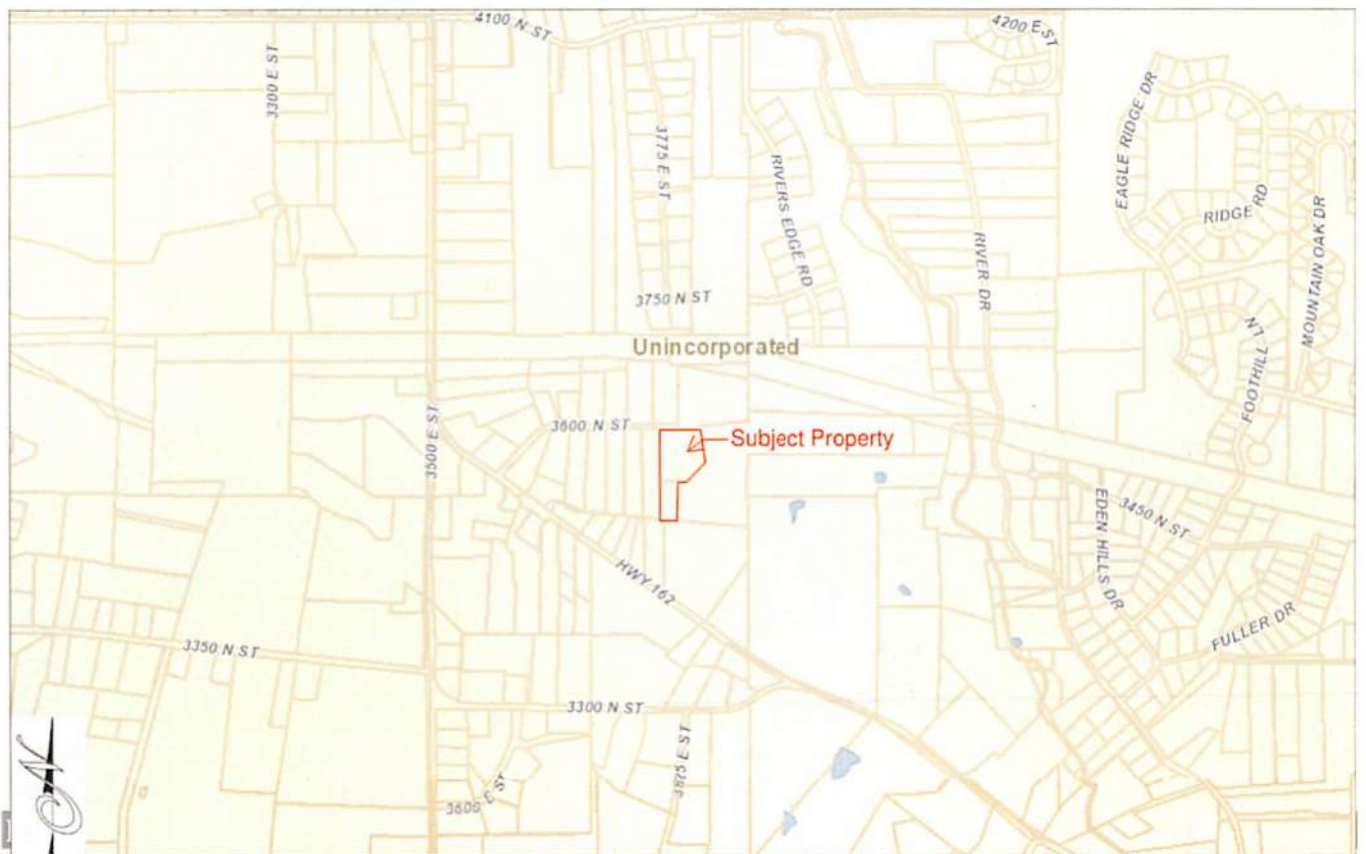
Exhibits

- A. Liberty Meadows Subdivision-Original plat
- B. 1976 Easement Letters
- C. Vacation Application
- D. Liberty Meadows Subdivision 2nd Amendment-Proposed plat
- E. Proposed Ordinance

Map 1



Map 2



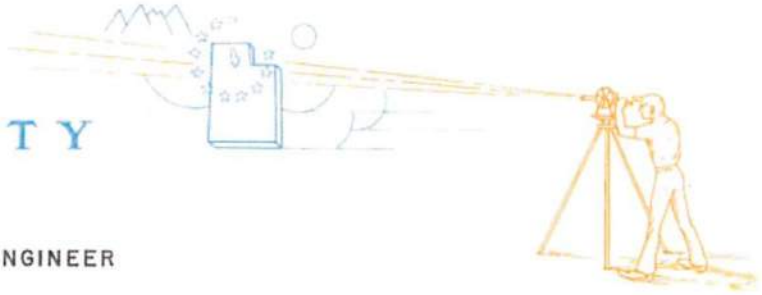
WEBER COUNTY

OGDEN, UTAH

OFFICE OF COUNTY SURVEYOR & ENGINEER

FRED W. MALAN
2568 Washington Blvd.
Phone 399-8371

December 28, 1976



Weber County Planning Commission
Graham F. Shirra, Director
7th Floor Municipal Bldg.
Ogden, Utah

Re: Liberty Meadows Subdivision - Vacation of 40' easement in lots
12, and 13.

Dear Graham:

A field inspection has been completed on Liberty Meadows Subdivision, and the proposed vacation of the 40' easement on lots 12, and 13. We agree that the vacation would correct the present plat as submitted. However, at the present time a new Easterly boundary is being surveyed. This new survey does encompass the creek in question in the Northerly section of lot number 12.

It is our suggestion at this time to go ahead and vacate the present easement, but we will need a new easement in its correct location after the present survey has been completed. Due to the new survey and new easement we believe this whole problem should be corrected at one time.

If there are any further questions, please feel free to call.

Respectfully,

Fred W. Malan
Weber County Surveyor & Engineer

2-11-81 - 392-4953

"OVER 65 YEARS OF DEPENDABLE SERVICE"

BLACKBURN *Jones* COMPANY

905 - 24TH STREET • P.O. BOX 1479

OGDEN, UTAH 84402 • DIAL (801) 392-7316

December 7, 1976

To Whom it May Concern:

Re: Escrow contract Triple A Investment Co. Seller-Marsh Co., Inc. Buyer

There presently exists a recorded easement across Lot #13 Liberty Meadows Subdivision. This easement was platted in error. It was meant to describe the flow line of the creek running along the east boundary of the parcel as it now is described. The engineer made an error in preparing the subdivision plat.

Even though there is an easement shown, no one has any rights in the easement other than the owner of the property described. Mr. John Reeve of Bonneville Engineering and Surveying Co. is responsible for obtaining a release of said easement. We hope that this will be completed within the near future.

There presently exists a contract amount owing Triple A Investment Co., of approximately \$10,156. on Lot #14 and the portion of lot 13 called Parcel #2 and described by a metes and bounds description in the uniform real estate contract. If either Lot 14 or the lot called Parcel #2 in the Uniform Real Estate Contract is to be released in total, we would require one half of the existing balance to be paid in cash, which would amount to approximately \$5,078.

We trust that this will provide the information you desire.

Yours very truly,
TRIPLE A INVESTMENT CO., A Partnership

392-4433

By: *Bruce H Jones*
Bruce H. Jones



INSURANCE

• REAL ESTATE •

CONSTRUCTION



Weber County Vacation Application

Application submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use) <i>SUBLOT 2014-03</i>
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Requesters Contact Information

Name <i>Cecil Satterthwaite</i>		Mailing Address <i>Valen Management 690 W. 1100 S. Ogden, UT 84404</i>
Phone <i>801-391-1345</i>	Fax	
Email Address <i>csatterthwaite@hotmail.com</i>		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

Property Information

Address <i>Lynn Satterthwaite 3807 E. 3600 N. Eden, UT 84310</i>	Land Serial Number(s) <i>22-066-0011 22-013-0023</i>
Vacation Request <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Road <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision Lot	Current Zoning <i>AV-3</i>
Subdivision Name <i>Liberty Meadows</i>	Lot Number(s) <i>Liberty meadows Lot 13</i>

Project Narrative

An easement was recorded on the original plat in the wrong area, the easement is a drainage easement shown in the wrong area. A letter was written from the county surveyor and Engineer in 1976 stating the easement on the plat was shown in the wrong area. An amended plat was never completed at that time. We wish to make the amendment to place the easement in the correct location.

Property Owner Affidavit

I (We) *Lynn Satterthwaite & Brett Satterthwaite* depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

[Signature]
(Property Owner)

[Signature]
(Property Owner)

Subscribed and sworn to before me this *18* day of *December*, 20*2014*

MICHAEL HENRY
Notary Public • State of Utah
Commission # 675501
COMM. EXP. 03-28-2018

[Signature]
(Notary)

Authorized Representative Affidavit

I (We), Lynn Satterthwaite & Melazie Satterthwaite the owner(s) of the real property described in the attached application, do authorize as my (our) representative(s), Cecil Satterthwaite, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Melazie Satterthwaite
(Property Owner)

[Signature]
(Property Owner)

[Signature]

Dated this 18 day of December, 2014, personally appeared before me Lynn Satterthwaite & Cecil Satterthwaite the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

 **MICHAEL L HENRY**
Notary Public • State of Utah
Commission # 675501
COMM. EXP. 03-28-2018

[Signature]
(Notary)



LIBERTY MEADOWS SUBDIVISION 2ND AMENDMENT

A PART OF THE SOUTHEAST QUARTER OF SECTION 20, AND THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY
WEBER COUNTY, UTAH
APRIL 2014

NARRATIVE
THE SURVEY AND SUBDIVISION PLAT WERE REQUESTED BY MR. LEO SUTTERWALTE FOR THE PURPOSE OF RELOCATING A NON-CONFORMING PARCEL AS DESCRIBED IN THE OFFICE OF THE WEBER COUNTY ENGINEER. THE BASIS OF BEARING IS NORTH AND EAST WEST DOUBLE TEST WITHIN THE BEARS EAST (E) AND NORTH (N) QUARTER CORNER OF SECTION 20 AND THE NORTHEAST QUARTER CORNER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. LOT CORNERS HAVE BEEN RELOCATED AS DESCRIBED ON THIS PLAT.

NOTE: AGRICULTURE ZONE
A ZONING DISTRICT IS THE PRESCRIBED USE IN THE AGRICULTURE ZONE. AGRICULTURAL OPERATIONS AS SPECIFIED IN THE ZONING DISTRICT FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF FARM MACHINERY AND WEED-KILLING AGENTS. THIS SHALL BE SUBJECT TO RESTRICTION ON THE BASIS THAT IT INTERFERES WITH ACTIVITY OF FUTURE RESIDENTS OF THE SUBDIVISION.

- LEGEND**
- PROPOSED PROPERTY LINE
 - - - - - EXISTING PROPERTY LINE
 - 10' WIDE PUBLIC UTILITY AND CHANNELS (AS SHOWN UNLESS OTHERWISE SPECIFIED)
 - - - - - PUBLIC RIGHT-OF-WAY LINE
 - CENTER LINE
 - FOUND SECTION CORNER
 - FOUND PAULRICK SPIRE
 - FOUND STAKE
 - FOUND NAIL
 - NAIL TO BE SET
 - FOUND PEGNAIL
 - 8 1/2" x 2 1/2" REBAR NAIL TO BE SET (RELOCATED)

WEBER COUNTY PLANNING COMMISSION APPROVAL
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION DATED THIS ____ DAY OF ____ 2014.
CHARRNA WEBER COUNTY PLANNING COMMISSION

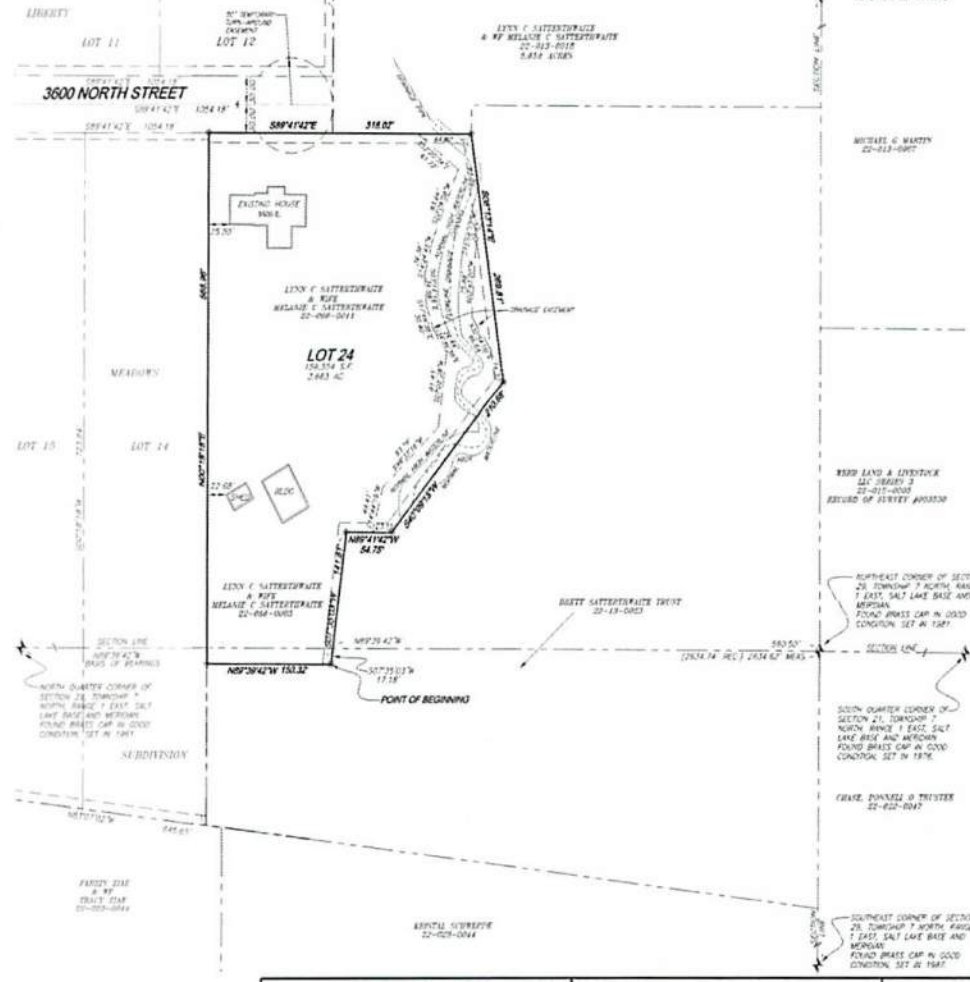
WEBER COUNTY ENGINEER
I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT FINANCING AND CHARGES FOR THIS SUBDIVISION CONFORM WITH THE COUNTY FINANCING AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.
DATED THIS ____ DAY OF ____ 2014.

WEBER COUNTY ENGINEER

WEBER COUNTY ATTORNEY
I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERE TO AND NOW IN FORCE AND EFFECT.
DATED THIS ____ DAY OF ____ 2014.

WEBER COUNTY ATTORNEY

PREPARED BY:
WASATCH CIVIL
Consulting Engineering
5520 SOUTH 1900 WEST, SUITE 200
MOUNTAIN VIEW, UTAH 84040



SURVEYORS CERTIFICATE
I, MATTHEW ABRAM MADRICK, A LICENSED PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH IN ACCORDANCE WITH TITLE 63, CHAPTER 2 AND HOLDING LICENSE NUMBER 00000000, DO HEREBY CERTIFY THAT A SURVEY OF THIS PLAT OF LIBERTY MEADOWS 2ND AMENDMENT OF LOT 24 IN WEBER COUNTY, UTAH HAS BEEN MADE BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH SECTION 17-20-17 AND HAS BEEN CORRECTLY DRAWN TO THE SUBDIVISION SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE FOLLOWING DESCRIPTION OF LANDS INCLUDED IN SAID SUBDIVISION BASED ON DATA COMPILED FROM THE RECORDS IN THE WEBER COUNTY RECORDERS OFFICE AND A SURVEY MADE ON THE GROUND.
DATED THIS ____ DAY OF ____ 2014.
MATTHEW ABRAM MADRICK, P.L.S.
UTAH LICENSE NO. 00000000

BOUNDARY DESCRIPTION
A PART OF THE SOUTHWEST QUARTER OF SECTION 28 AND THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY.
BEGINNING AT A POINT ON THE EAST LINE OF LOT 24 LIBERTY MEADOWS SUBDIVISION AS RECORDED IN THE WEBER COUNTY RECORDERS OFFICE. SAID POINT BEING NORTH 89° 58' 00" WEST AND 207.12 FEET TO THE ACTUAL LINE OF SAID SECTION 28 AND AN IRON NAIL BEING 10 FEET SOUTH AND EAST THEREOF TO THE NORTH EAST CORNER OF SAID SECTION 28. BEARING THENCE NORTH 89° 58' 00" WEST 100 FEET TO THE WEST LINE OF SAID LOT 24. THENCE NORTH 89° 58' 00" WEST 100 FEET SOUTH AND WEST LINE OF LOT 24 TO THE SOUTH BOUNDARY OF SAID LINE OF SAID SECTION 28. THENCE SOUTH 89° 58' 00" WEST 100 FEET SOUTH AND WEST LINE OF LOT 24 TO THE SOUTH BOUNDARY OF SAID SECTION 28. THENCE SOUTH 89° 58' 00" WEST 100 FEET TO THE POINT OF BEGINNING.
CONTAIN HEREIN ACREAGE FEET OR LINES A FEW MORE OR LESS.

OWNER'S DEDICATION
WE, THE UNDERSIGNED OWNERS OF THE HEREBY DESCRIBED TRACT OF LAND DO HEREBY SET APART AND DEDICATE THE SAME INTO LOTS AS SHOWN ON THE PLAT AND HAVE SAID TRACT LIBERTY MEADOWS SUBDIVISION AND AMENDMENT, AND 20 HEREBY GRANT AND CONVEY TO WEBER COUNTY, UTAH A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER ALL THESE PARCELS OR PORTIONS OF SAID TRACT OF LAND (DEDICATED AS EASEMENTS) THE SAME TO BE USED FOR PUBLIC UTILITY, CHANNELS AND HIGHWAYS HEREIN PROVIDED AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND CHANNELS, AS MAY BE AUTHORIZED BY WEBER COUNTY.
DATED THIS ____ DAY OF ____ 2014.
LEO SUTTERWALTE MELBA C SUTTERWALTE

OWNER'S ACKNOWLEDGMENT
STATE OF UTAH)
COUNTY OF WEBER)
ON THE ____ DAY OF ____ 2014, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED MOUNTAIN PUBLIC, AS A NOTARY PUBLIC AND COUNTY CLERK OF WEBER AND AFTER BEING DULY SWORN ACKNOWLEDGED AS FOLLOWS:
OF SAID PROPERTY AND THAT THEY JOINED THE CHAINED CERTIFICATE FINANCIAL GUARANTEE AND IN FULL PAYMENT OF SAID FINANCIAL GUARANTEE FOR THE PURPOSES THEREIN MENTIONED.
BY COMMISSIONER OFFICE 2014
NOTARY PUBLIC

DEVELOPER
LEO SUTTERWALTE
MELBA C SUTTERWALTE
APRIL 17 2014

WEBER/MORGAN HEALTH DEPARTMENT
I HEREBY CERTIFY THAT THE BORE WATER TESTS AND SITE CONDITIONS FOR THIS SUBDIVISION HAVE BEEN REVIEWED BY THIS OFFICE AND NOW APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS.
DATED THIS ____ DAY OF ____ 2014.
WEBER/MORGAN HEALTH DEPARTMENT

WEBER COUNTY COMMISSION ACCEPTANCE
THIS IS TO CERTIFY THAT THE SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC USES AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS ____ DAY OF ____ 2014.
ATTEST:
CHARRNA WEBER COUNTY COMMISSION

WEBER COUNTY SURVEYOR ACCEPTANCE
I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND CONFORMITY WITH LAWS AND ORDINANCES ON RECORDS IN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.
DATED THIS ____ DAY OF ____ 2014
SIGNATURE

COUNTY RECORDER
BOOK NO. PAGE AND
INDEXED FILED FOR RECORD AND
DATE INDEXED AT
BY COUNTY RECORDER PAUL
COUNTY RECORDER
BY JUDITH

Ordinance _____

An ordinance of Weber County vacating a portion of Liberty Meadows Subdivision

Whereas, the owners of Lot 13 in the Liberty Meadows Subdivision have requested the proposed vacation; and

Whereas, the vacation of Lot 13 will allow a portion of the original lot to remain outside of the subsequent small subdivision boundaries as vacant agricultural property; and

Whereas, the subsequent small subdivision plat will correct the location of the drainage easement and grant rights for ingress and egress to Weber County for maintenance of the drainage easement; and

Whereas, the vacation of Lot 13 in the Liberty Meadows Subdivision will not vacate any public streets, rights-of-way, or easements; and

Whereas, the vacation of Lot 13 in the Liberty Meadows Subdivision will not adversely affect the public health, safety, or welfare; and

Whereas, the Weber County Commission, after appropriate notice, considered the vacation of Lot 13 in the Liberty Meadows Subdivision on _____, 2015;

Now Therefore, the Weber County Board of Commissioners ordains and vacates the following:

All of Lot 13, Liberty Meadows Subdivision as shown on the official dedication plat recorded as entry number 582556 in book 17 page 68 on November 16, 1972 in the Office of the Weber County Recorder.

Adopted and ordered published this ____ day of _____, 2015 by the Weber County Board of Commissioners,

Commissioner Bell	Voting _____
Commissioner Gibson	Voting _____
Commissioner Ebert	Voting _____

Kerry W. Gibson, Chair

ATTEST:

Ricky D. Hatch, CPA Weber County Clerk/Auditor

Summary of Ordinance _____

An ordinance of Weber County vacating a portion of Liberty Meadows Subdivision more correctly known as all of Lot 13, Liberty Meadows Subdivision. Adopted and ordered published this _____ day of _____, 2015, by the Weber County Board of Commissioners with Commissioners Bell, Gibson, and Ebert voting aye. Copies of the complete ordinance may be reviewed in the Weber County Clerk/Auditor's office 2380 Washington Blvd, Suite 320, Ogden, Utah.



Weber County Planning Division

To: Ogden Valley and Western Weber Planning Commissions
From: Charles Ewert, AICP
Date: April 27, 2015
Subject: Weber County Land Use Code Revision Process: Conditional Use Code Revisions

Background. Following our last discussion regarding conditional uses, I have assembled a conditional use code that provides substantive standards applicable for conditional uses (see Exhibit A). It is based on standards found in conditional use codes throughout Utah.

It is imperative that the Planning Commission reviews the proposal with the understanding that conditional uses are allowed, provided they comply with applicable standards. There can be a lot of subjectivity in a conditional use permit determination. Stick to the facts, and be objective. Try not to be tempted to deny a permit because it does not comply with your interpretation of what is "attractive" or "incompatible with adjacent uses." Try not to use standards to require the overdesign of a proposal so much that it is cost prohibitive. Instead, find reasonable ways to help the proposal fit in better.

The County's design review standards (and architectural standards) should be enough to compel a developer to provide the County with a project that comes very close to approval-ready. All too often a Planning Commission may feel they are tasked with providing the community with projects that are designed with the community benefit in mind. This is not the case. The private property owner gets to design the project. The Planning Commission's role is to verify that the community detriment of a project, if any, is made less severe. Remember that the word "mitigate" means "to cause to become less harsh or hostile" or "to make less severe or painful."^a

Analysis. The following is a general review of the design of the ordinance and the reasons for it. I tried to keep the proposal in general compliance with the previous ordinance's composition. There are several changes I inserted to help the ordinance flow, and to make some sections better compliment the new additions.

Application and review (§108-4-3). I strengthened the application requirements (§108-4-3(1)) to call for more detail about the proposal. This will hopefully provide the reviewers with a better understanding of the proposed use, which, in turn, will provide the Planning Commission with more reliable information.

I also provided more detail in the application submittal and review (§108-4-3(2)). The added detail is not materially different than the current process; it is merely a means of providing the applicant with notice of the process that is due.

Take note of §108-4-3(2)(b.5-6). As is typical, staff will provide the Planning Commission with a recommendation of conditions of approval. Staff should base the recommendation on specific standards (and provide appropriate citations), and provide specific findings. This will give the Planning Commission a basic template for their decision – provided the Planning Commission can find that staff appropriately vetted the application.

Standards (§108-4-5). In crafting the standards, I generally kept to standards that have measurable outcomes. Even though the actual outcomes for a specific CUP will not be known until well after its approval, the point is that review agencies can use the standards to review the project through the lense of best management practices and emerging trends – and predict the detrimental effects of the proposal given the outcomes of similar uses and similar situations.

^a Definition from Merriam-Webster



Weber County Planning Division

This helps the Planning Commission in two ways. First, it will provide for you the reasonably anticipated detrimental effects of the proposal. Remember, state code requires that only the reasonably anticipated detrimental effects can be considered. This is explicitly written to remind Planning Commissions to not get caught in the trap of conditions based on speculation, but rather to base all decisions on objective facts. Second, it provides you with your professional's opinions about what standards should be applied (with specific recommendations for conditions), and by inference, which standards are irrelevant. You will want to exercise caution when applying standards or adding conditions that your professionals have not recommended. If they have evaluated the project completely there is a reason they have not included the standard in their review and recommendation (however, don't be afraid to ask staff for an explanation).

It is important for the Planning Commission to note that not all of the listed standards will be applicable to all conditional uses. When considering enforceability, remember that only those standards that the Planning Commission applies to a CUP via relevant conditions of approval are enforceable. The record you make when deliberating is important for this, but not so much as the motion that is made. Your motions should have all relevant conditions, and all relevant findings for those conditions. Staff recommendation will aid in this as well.

Because the property owner, not the Planning Commission, is the project designer, when subjectivity exists in a standard the Planning Commission should error that subjectivity in favor of the will of the property owner. In most cases, if the Planning Commission can honestly determine that from the perspective of the property owner the proposal meets applicable standards, then the project should probably be approved with routine or limited conditions. Things are not always this clean cut, but it is a good platform from which to base your CUP considerations. When in doubt, confer with staff.

Code drafting, generally. The proposal still has some drafting and legal work before being adoption ready. However, the substance will not likely change.

Public comment. It is important that CUP decisions are supported by evidence. As has already been stressed to the Planning Commission, public clamor is not usually evidence. Use of the proposed standards should not be for the sake of satisfying public clamor. That will lead to biased decisions.

Staff would like to discuss with the Planning Commission a different method of taking public comment that may make meetings flow better, and cut down on clamor affecting the Planning Commission's decision. The different method involves setting a "public comment period" wherein the County will take written comments for some pre-determined timeframe prior to the meeting, but allow no comment during the meeting.

This will afford staff sufficient time to review the comments for evidence related to an applicable standard, and prepare a modified recommendation should any of them merit as much. It will help the meeting progress more efficiently because it will allow the Planning Commission to review the comments prior to the meeting, and be prepared for discussion on any of them that are relevant and credible.

This idea is not presented in the proposed draft, and is only for discussion at this time.

Planning Commission Consideration. I respectfully request that the Planning Commission carefully consider the proposal, and provide me general direction as to needed changes prior to it being formally presented for review and recommendation to the County Commission.

Attachments. In the attached exhibits the planning Commission will find the documents as listed below. They are being provided for the Planning Commission's reference, and may prove useful during our discussion.

- Exhibit A: (Proposed) Conditional Use Code with Track Changes
- Exhibit B: (Proposed) Conditional Use Code without Track Changes
- Exhibit C: Weber County Land Use Code Revision Process Workflow

Exhibit A: Proposed Conditional Use Code Amendments -- with Track Changes

1 CHAPTER 4. - CONDITIONAL USES

- 2 Sec. 108-4-1. - Purpose and intent.
- 3 Sec. 108-4-2. - Conditional use permit.
- 4 Sec. 108-4-3. -- Application and Review procedure.
- 5 Sec. 108-4-4. - Decision requirements.
- 6 Sec. 108-4-~~54~~. - ~~Criteria~~ Conditional use standards ~~for issuance of conditional use permit.~~
- 7 Sec. 108-4-~~65~~. - Appeal ~~and revocation.~~
- 8 Sec. 108-4-~~76~~. - Permit and improvement guarantee.
- 9 Sec. 108-4-~~87~~. -- Revocation and Expiration.
- 10 Sec. 108-4-~~98~~. - Discontinued use.

11 Sec. 108-4-1. - Purpose and intent.

- 12 (a) The purposes of this Chapter are to:
- 13 (1) Provide for the intent of the respective zones, and to provide for the vision, goals,
- 14 and objectives of the respective general plans, by specifying general standards that
- 15 may be applied by the Land Use Authority to a use listed as a conditional use in this
- 16 Land Use Code.
- 17 (2) Provide a reasonable process for the application for and timely review of a
- 18 conditional use permit.
- 19 (b) The intent of providing conditional use regulations is to provide allowance for additional
- 20 uses in each zone and give the land use authority flexibility in applying reasonable
- 21 conditions to effectively manage unique characteristics or detrimental effects of them, on
- 22 a case by case basis. Conditions shall be related to the standards of this Chapter, or
- 23 relevant requirements of any other Chapter of this Land Use Code.
- 24 ~~(a) The purpose of this chapter is to establish standards for land uses listed in each zone as~~
- 25 ~~a conditional use, and to provide for a reasonable application, review, and approval~~
- 26 ~~process for land uses that are specified as "conditional."~~
- 27 ~~(b) Conditional uses are intended to allow greater flexibility by providing a wider variety of~~
- 28 ~~uses in a zone, while at the same time allowing conditions to be applied, due to their~~
- 29 ~~unique characteristics or potential impacts on surrounding uses. These may be~~
- 30 ~~appropriate only in certain locations and/or under specific conditions that mitigate~~
- 31 ~~potential impacts. If impacts cannot be mitigated, the conditional use may be deemed~~
- 32 ~~incompatible in some areas.~~

Comment [c1]: Future change: reference the new land use table here.

33 Sec. 108-4-2. - Conditional use permit.

34 (a) A conditional use permit shall be required for all uses listed as a conditional use in the
35 Weber County Land Use Code. The conditional use permit shall list all conditions and
36 requirements, based on applicable standards, determined appropriate to substantially
37 mitigate the ~~impacts~~ detrimental effects created by the use in order to make it acceptable
38 at the specific location.

39 (b) In the event a change is proposed from the conditions of the original approval, an
40 amendment to the original conditional use permit shall be required.

41 ~~(b)~~(c) A conditional use permit shall run with the property, unless the permit has expired, ~~or~~
42 has been revoked, or been abandoned.

43 **Sec. 108-4-3. -- Application and rReview procedure.**

44 Applications for a conditional use permit shall be submitted to the planning division.

45 (1) An application shall include:

- 46 a. A completed application form signed by the property owner or certified agent.
- 47 b. An application fee. The payment of a partial application fee, or the submittal of
- 48 plans for a pre-submittal review, does not constitute a complete application.

49 c. A written narrative explaining the proposal. The narrative shall include, at a
50 minimum, the following information:

- 51 1. Name of the project.
- 52 2. The name, home, and if applicable, business address, of the applicant.
- 53 3. As applicable, the name and business address of the project designer or
54 engineer.
- 55 1.4. A written explanation of ~~addressing the criteria of issuance~~ how the
56 proposal complies with the applicable standards of ~~S~~section 108-4-4, and
57 those applicable standards of Section 108-1 and Section 108-2.

58 d. Detailed ~~location~~ vicinity map. The map shall include, at a minimum, the
59 following information:

- 60 1. Name of the project.
- 61 2. North arrow.
- 62 3. All significant natural and manmade features and existing structures within
63 200 feet of any portion of the proposed project area.
- 64 4. The property boundaries of the proposal.
- 65 2.5. The names and site addresses of adjacent property owners.

66 e. Graphic representation of the proposal. The graphic representation shall be
67 designed to provide, at a minimum, the following information:

- 68 1. Name of the project.
- 69 2. The name, home, and if applicable, business address, of the applicant.

- 70 3. As applicable, the name and business address of the project designer or
 71 engineer.
- 72 4. Drawn to a scale that makes the project easily and clearly legible.
- 73 5. A north arrow pointing to the left or top of the sheet.
- 74 6. Boundary of the site, including any building pad, public and private
 75 easements, and other areas affected by the proposal.
- 76 7. The names and site addresses of adjacent property owners.
- 77 8. Existing zoning
- 78 9. Total acreage of the entire affected property and, if the property is split by
 79 zoning, the total acreage of property in each zone.
- 80 10. The location and width of existing and proposed roads, driveways, and
 81 parking areas, as may be applicable.
- 82 11. The location of existing and proposed manmade features, including
 83 bridges, railroad tracks, structures, and fences.
- 84 12. Existing and, if applicable, proposed culinary water, irrigation water, and
 85 sanitary sewer infrastructure.
- 86 13. Existing and proposed topographic contours, including, if applicable, any
 87 details necessary to explain proposed grade changes, fills or excavations,
 88 or any other earth work, together with accompanied drainage plans, storm
 89 water pollution protection plans, and revegetation plans.
- 90 14. Location and type of existing landscaping and vegetation, and proposed
 91 changes thereto if any. If applicable, location and type of new landscaping
 92 and vegetation.
- 93 15. Location of Flood Plain boundaries, if applicable.
- 94 ~~3-16. Any other proposed site improvements showing details and other~~
 95 ~~applicable design and architectural requirements specified in Section 108-~~
 96 ~~1 and Section 108-2. Detailed building plans and site plans specifications~~
 97 ~~shall be drawn to scale including electronic copies showing details and~~
 98 ~~other applicable zoning requirements as which are outlined in chapter 1 of~~
 99 ~~this title, Design review, and chapter 2 of this title, Ogden Valley~~
 100 ~~Architectural, Landscape and Screening Standards.~~
- 101 ~~c. Accompanying documents including water and wastewater feasibility letters.~~
- 102 ~~d.f. Any additional pertinent information needed to adequately describe the~~
 103 ~~proposal.~~
- 104 ~~g. A requirement that the applicant submit~~ A applicable impact studies or other
 105 technical studies ~~regarding grading, drainage, traffic, geologic hazards,~~
 106 ~~etc.~~ that may be necessary to provide evidence of anticipated detrimental
 107 effects of the proposal, or evidence of compliance with the applicable
 108 standards.

109 e.h. Any additional pertinent information needed to adequately describe the
 110 proposal, or provide evidence of compliance with the applicable standards,
 111

112 f.i. For those applications where no changes are proposed to an existing site or
 113 structure, or where the application requirements are unnecessary to
 114 demonstrate compliance with applicable ordinances and standards, the
 115 application requirements may be modified by the ~~planning director~~ Zoning
 116 Administrator.

117 (2) Application submittal and review.

- 118 a. ~~The application review procedure for proposed conditional uses~~ The County's
 119 review of a conditional use permit application and the site plan will ensure is
 120 intended to verify compliance with all-applicable ordinances and provide
 121 appropriate and reasonable mitigation of anticipated detrimental effects.
- 122 b. The application review procedure ~~shall contain the following components~~ is as
 123 follows:
- 124 1. Pre-application meeting. Prior to submission of a complete application, ~~a~~
 125 pre-application meeting is required to be held with planning staff, in which
 126 an applicant will provide preliminary site plans ~~are reviewed and~~ for
 127 planning staff to review and discussed discuss with the applicant. This
 128 meeting is intended to provide the applicant with a better understanding of
 129 the conditional use process and requirements in order to assist with the
 130 submission of a complete application. ~~prior to finished plans being~~
 131 submitted for review;
 - 132 2. Complete application submission. Upon assembling a complete
 133 application, the applicant may submit it for substantive review. Incomplete
 134 applications shall not be accepted. Staff will review the application for
 135 completeness. In the event the application is incomplete, staff will return it
 136 to the applicant with a list of deficiencies. ~~A review of the application for~~
 137 completeness;
 - 138 3. ~~Referral of the application to all referral agencies;~~ Upon acceptance of an
 139 application, planning staff shall transmit it to applicable reviewers as may
 140 be determined necessary to verify compliance with the standards of this
 141 Chapter, or relevant requirements of any other Chapter of this Land Use
 142 Code.
 - 143 4. Applicable reviewers shall forward to planning staff reasonable
 144 recommendations for conditions necessary to substantially mitigate the
 145 reasonably anticipated detrimental effects of the proposed use in
 146 accordance with applicable standards.
 - 147 5. Planning staff shall review the application, together with the reasonable
 148 recommendations from applicable reviewers, to determine compliance
 149 with this Land Use Code. Planning staff shall assemble a staff

150 recommendation, with conditions and findings, for the application, then
 151 forward the recommendation with the application to the Land Use
 152 Authority for a final decision.
 153 6. Upon receipt of the application and staff recommendation the Land Use
 154 Authority shall make final decision on whether the application complies
 155 with this Land Use Code, in accordance with the requirements of Section
 156 108-4-4. Final decisions shall be accompanied by any applicable
 157 conditions, and relevant findings.
 158 ~~3.7. The Planning Commission is the Land Use Authority for conditional use~~
 159 ~~permits.~~
 160 ~~4. A review of the proposed site plan for compliance with applicable sections~~
 161 ~~of the Land Use Code;~~
 162 ~~5. A review of the proposed use and site plan to ascertain potential negative~~
 163 ~~impacts and whether reasonable conditions can be imposed to mitigate~~
 164 ~~these impacts.~~

Comment [c2]: This is a placeholder until the Land Use Authority matrix is completed and the land use table is completed. It may change after that.

165 **Sec. 108-4-4. – Decision requirements.**

166 (a) A conditional use shall be approved if reasonable conditions are proposed, or can be
 167 imposed, to substantially mitigate the reasonably anticipated detrimental effects of the
 168 proposed use in accordance with the standards of this Chapter, or relevant standards or
 169 requirements of any other Chapter of this Land Use Code. When considering any of the
 170 standards, the Land Use Authority shall consider the reasonably anticipated detrimental
 171 effects of the proposed use in the context of current conditions and, to the extent supported
 172 by law, the policy recommendations of the applicable general plan.
 173 (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be
 174 substantially mitigated by the proposal or the imposition of reasonable conditions to achieve
 175 compliance with applicable standards, the conditional use may be denied.

Comment [c3]: Definition of "mitigate";
 1: to cause to become less harsh
 or hostile : mollify <aggressiveness may be mitigated or ... channeled — Ashley Montagu>
 2a : to make less severe or painful : alleviate
 b : extenuate

Comment [c4]: From State Code. UCA §17-27a-506.
 In essence: find a way to enable the use, but mitigate the negative effects. Use standards to help mitigate the effects.

176 **Sec. 108-4-54. - Criteria Conditional use standards, for issuance of conditional use permit.**

177 The following is a list of standards that may be applied to a conditional use permit. The Land
 178 Use Authority may apply any relevant standard to a conditional use provided credible evidence
 179 exists that such standard is reasonable and necessary to mitigate detrimental effects of the use.

Comment [c5]: Straight from State Code. UCA §17-27a-506.

180 (1) Standards relating to safety for persons and property.
 181 a. Mitigate injury, loss of life, property damage, or other disproportionate demand
 182 for services on applicable fire fighting agencies.

Comment [c6]: Examples of conditions for mitigation may include any reasonable method of fire hazard avoidance or fire fighting, including, but not limited to: coordination and cooperation with the local fire authorities, site design and layout; building, structure, or other facility design and layout; defensible space; ingress and egress; emergency evacuation; fire fighting facilities; fire flow capacity; fire apparatus access; fire fighting staging; and other related fire hazards mitigation as authorize by local, state, and federal laws.

- 183 b. Mitigate injury, loss of life, or other disproportionate demand for services on
 184 applicable emergency medical service agencies.
- 185 c. Mitigate injury, loss of life, property damage, criminal activity, the need for
 186 added peace keeping activities, or other disproportionate demand for services
 187 on the County Sheriff's Office.
- 188 d. Mitigate injury, loss of life, or property damage of any known geologic hazard
 189 or flood hazard, if credible evidence of such a detrimental effect is present.
- 190 e. Mitigate the creation of traffic hazards and right-of-way conflicts, including
 191 mitigation of traffic hazards caused by:
- 192 1. the location, massing, size, or height of buildings, structures, and other
 193 facilities, including signage, fencing and landscaping;
 - 194 2. the frequency of heavy truck traffic to and from the site (i.e. import and
 195 export of materials, deliveries, etc.) to minimize right-of-way conflicts with
 196 regular vehicle and pedestrian traffic.
- 197 f. Substantially mitigate the likelihood that the proposed use or facility may cause
 198 bodily injury or property damage to potential persons or property in the area.
- 199 (2) Standards relating to infrastructure, amenities, and services.
- 200 a. Mitigate undesirable vehicle or pedestrian traffic patterns or volumes.
- 201 b. Mitigate internal circulation inefficiencies and provide for adequate onsite
 202 parking given the unique specificities of the proposed use or the proposed site
 203 plan.
- 204 c. Mitigate material degradation of the level of service of any street.
- 205 d. Mitigate material degradation of the level of service of any storm water
 206 drainage facility or infrastructure, and adequately provide for storm water
 207 drainage from the site.
- 208 e. Mitigate material degradation of the level of service of any culinary and
 209 irrigation water facility or infrastructure, and, if applicable, adequately provide
 210 culinary and irrigation water service to the site.
- 211 f. Mitigate material degradation of the level of service of any sanitary sewer
 212 service, and, if applicable, adequately provide sanitary sewer service to the
 213 site.
- 214 g. Mitigate material degradation of the level of service of any other utility, and, if
 215 applicable, adequately provide such utility services to the site.
- 216 h. Mitigate material degradation of the level of service, functionality, capacity, or
 217 usability of the existing open spaces, public features, or recreational amenities
 218 in the area, and, if applicable, adequately provide additional open spaces,
 219 public features, or recreational amenities.
- 220 i. Mitigate any disproportionate demand for government services, generally.
- 221 (3) Standards relating to the environment.

Comment [c7]: Examples of conditions for mitigation may include coordination and cooperation with the fire and EMS agencies, and compensation for the need for additional fire and EMS presence beyond typical service levels.

Comment [c8]: Examples of conditions for mitigation may include coordination and cooperation with the Sheriff's Office, and compensation for the need for additional Sheriff's Deputy presence beyond typical service levels.

Comment [c9]: Examples of conditions for mitigation may include appropriate design, construction, and location of structures, buildings and facilities.

Comment [c10]: Credible evidence needs to be more than a statement from a concerned neighbor. It should come from a source with sufficient knowledge of the facts. As with most things, credibility has a range. Use caution

Comment [11]: This standard is intended to be the "umbrella" standard to catch what the others do not. Much more difficult to track the outcomes, and the resulting conditions are going to be more difficult to defend without really good findings, but it may be useful when a proposal is presented that other standards do not catch.

Comment [c12]: Examples of conditions for mitigation: this may include provision for, relocation of, or protection of infrastructure or amenities. Mitigation may take into consideration the existing and, if applicable, proposed configuration and size of streets, driveways, driveway and parking lot approaches, parking lots and/or parking spaces, and pedestrian pathways. Mitigation may also consider peak traffic demands, and other applicable infrastructure constraints.

Comment [c13]: Examples of conditions for mitigation may include the provision for infrastructure or amenities for the reduction of vehicle and pedestrian conflicts; the provision of sufficient space for loading and unloading; the provision of sufficient space and access to waste collection facilities; and the provision for additional parking lot standards beyond those required in Section 108-8, including, but not limited to, number of parking spaces, parking space dimensions, parking lot isle dimensions, parking lot isle and driveway connections and configuration, and cross access easements or agreements for adjacent properties.

- 222 a. Mitigate detrimental effects on the natural features of the site, and the
 223 surrounding affected areas, if credible evidence of such a detrimental effect is
 224 present; including, but not limited to, rivers and creeks, lakes, ponds, and
 225 reservoirs, wetlands, drainage ways, ground water protection, and slopes.
- 226 b. Mitigate detrimental effects on the natural environment of the site, and the
 227 surrounding affected areas, if credible evidence of such a detrimental effect is
 228 present; including, but not limited to, wildlife, air quality, water quality (including
 229 erosion control), local natural resources, natural vegetation (including
 230 protection against noxious or invasive species), and wildland areas.
- 231 (4) Standards relating to the current qualities and characteristics of the surrounding area
 232 and compliance with the Intent of the general plan.
- 233 a. Mitigate the proximity of incompatible uses, unattractive site features, and
 234 disharmony with existing and future land uses in the area by providing
 235 buffering, screening, or fencing of the use or site, as may be applicable.
- 236 b. Mitigate unacceptable light emission from the site by requiring appropriate
 237 controls for the duration, direction, shielding, and intensity of lighting such that
 238 limited, if any, direct light leaves the site and reflected light is at generally
 239 accepted dark sky standards.
- 240 c. Mitigate nuisance factors including, but not limited to, noise, vibrations, smoke,
 241 dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic
 242 disturbances, and radiation, if credible evidence of such a nuisance is present.
- 243 d. Mitigate unattractive or unsightly property with vegetation and other landscape
 244 features which are designed to increase the attractiveness of the site.
- 245 e. Mitigate unattractive or incompatible design of buildings and site
 246 improvements, including the mass, size, number, location, and exterior
 247 features and materials of buildings, structures, and other facilities, including
 248 signage, in a manner that generally resembles or compliments development in
 249 the surrounding area, and advances the design goals and objectives, if any, of
 250 the general plan or applicable master plan.
- 251 f. Mitigate unattractive colors of buildings and site improvements, including
 252 signage, in a manner that uses natural colors found in the surrounding area,
 253 and advances the design goals and objectives, if any, of the general plan or
 254 applicable master plan.
- 255 g. Mitigate conflict or incompatibility with surrounding uses by providing hours of
 256 operation appropriate for the general nature and character of existing land
 257 uses in the area.
- 258 h. Mitigate aesthetic impacts by requiring reclamation, restoration, clean-up, and
 259 beautification of the site as the use evolves, or as the use is terminated.
- 260 i. Mitigate detrimental effects of the use when considering the combined effect of
 261 it and other main uses on the property.

Comment [c14]: Rather than denying an application because "it doesn't fit," help it fit by requiring these types of site features.

Comment [c15]: There can be a lot of subjectivity in this determination. Stick to the facts. Try not to be tempted to deny a permit because it does not comply with your interpretation of this. Try not to use this to overdesign the proposal so much that it is cost prohibitive. Instead, find reasonable ways to help the proposal fit in better. Look to existing design features in the area. Look to the design review standards for help. Strengthen the design review standards if necessary.

262 j. To the extent supported by law, mitigate other general detrimental effects in a
263 manner that sustains the objectives and intentions of the County's general
264 plan, future land use map (or proposed land use map) and this Land Use
265 Code.

266 (5) Standards Relating to Performance.

267 a. Mitigate potential noncompliance or poor performance by providing
268 appropriate performance measures, including, but not limited to, completion or
269 performance bonds, completion agreements, and development agreements.

270 b. Mitigate potential noncompliance or poor performance by requiring regular
271 review or monitoring of the use by an appropriately qualified professional.

272 (6) Standards Generally

273 a. Mitigate unsustainable effects on the economy of the surrounding area or
274 County, generally, if credible evidence of such negative effects is present.

275 b. Provide appropriate mitigation of detrimental effects as provided elsewhere in
276 this land use code in a manner that provides compliance with the provisions of
277 the land use code, and any other federal, state, or local regulation, as may be
278 applicable.

279 ~~(+)~~(7) Voluntary contributions providing satisfactory compliance with applicable
280 standards. When considering a conditional use the Land Use Authority has
281 discretion to determine satisfactory compliance with any applicable standard,
282 requirement, provision, or restriction of this Chapter if the applicant has voluntarily
283 offered a more desirable alternative to mitigate the reasonably anticipated
284 detrimental effects of the use than those otherwise specified here. The Land Use
285 Authority may require a development agreement to execute the voluntary alternative.

286 ~~Conditional uses shall be approved on a case-by-case basis. The planning commission shall not~~
287 ~~authorize a conditional use permit unless evidence is presented to establish:~~

288 ~~(1) Reasonably anticipated detrimental effects of a proposed conditional use can be~~
289 ~~substantially mitigated by the proposal or by the imposition of reasonable~~
290 ~~conditions to achieve compliance with applicable standards. Examples of~~
291 ~~potential negative impacts are odor, vibration, light, dust, smoke, or noise.~~

292 ~~(2) That the proposed use will comply with the regulations and conditions specified~~
293 ~~in the Land Use Code and other applicable agency standards for such use.~~

294 **Sec. 108-4-65. - Appeal ~~and revocation.~~**

295 (a) The decision of the ~~planning commission~~ Land Use Authority may be appealed to the
296 ~~county commission~~ Appeal Authority, in accordance with section 102-3 of this land use
297 code, by filing such appeal within 15 days after the written decision of the ~~planning~~
298 ~~commission~~ Land Use Authority.

299 (b) ~~The county commission~~ Appeal Authority may uphold or reverse the decision of the
300 ~~planning commission~~ Land Use Authority and impose any additional conditions that it may
301 deem necessary in granting an appeal. ~~The decision of the county commission shall be~~
302 ~~final.~~

303 ~~(b)(c)~~ The Board of Adjustment is the Appeal Authority for conditional use permits.

304 ~~(c) A conditional use permit may be revoked by the planning commission upon failure to~~
305 ~~comply with the conditional use permit.~~

Comment [c16]: This is a placeholder until the Appeal Authority section has been re-written. It may change after that.

306 **Sec. 108-4-~~76~~.** - Permit and improvement guarantee.

- 307 (a) Prior to the issuance of a conditional use permit the applicant shall submit the
- 308 appropriate required letters and/or permits from the appropriate review agencies.
- 309 (b) Prior to the issuance of certificate of occupancy permit, a business license or any other
- 310 permit required by the county, the developer shall deposit funds into an escrow account
- 311 with the county engineering division for all off-site improvements and on-site landscaping,
- 312 as may be allowed by law, as per the approved site plan, and for the completion of any
- 313 ~~inun~~completed improvements or conditions of approval.

314 **Sec. 108-4-~~87~~.** - Revocation and E expiration.

315 (a) A conditional use permit may be revoked by the Land Use Authority upon failure to
316 comply with any applicable standard, requirement, provision, restriction, or condition of
317 approval. A conditional use permit may also be revoked by the Land Use Authority if the
318 use evolves to be more impactful than originally proposed, anticipated, evaluated or
319 reviewed.

320 (b) Unless there is substantial action under a conditional use permit within a maximum
321 period of one year of its approval from the ~~planning commission~~ Land Use Authority, the
322 conditional use permit shall expire. The ~~planning commission~~ Land Use Authority may
323 grant a maximum extension of six months. Upon expiration of any extension of time
324 granted by the ~~planning commission~~ Land Use Authority, the approval for the conditional
325 use permit shall expire and become null and void.

327 **Sec. 108-4-~~98~~.** - Discontinued use.

328 When an approved conditional use has been discontinued and/or abandoned for a period of one
329 year, the conditional use permit becomes null and void. In order to restore the conditional use, a
330 new application shall be filed for review and consideration by the ~~planning commission~~ Land Use
331 Authority.

332

Exhibit B: Proposed Conditional Use Code Amendments -- with Track Changes

1 **CHAPTER 4. - CONDITIONAL USES**

- 2 Sec. 108-4-1. - Purpose and intent.
- 3 Sec. 108-4-2. - Conditional use permit.
- 4 Sec. 108-4-3. – Application and review procedure.
- 5 Sec. 108-4-4. – Decision requirements.
- 6 Sec. 108-4-5. - Conditional use standards.
- 7 Sec. 108-4-6. - Appeal.
- 8 Sec. 108-4-7. - Permit and improvement guarantee.
- 9 Sec. 108-4-8. – Revocation and expiration.
- 10 Sec. 108-4-9. - Discontinued use.

11 **Sec. 108-4-1. - Purpose and intent.**

12 (a) The purposes of this Chapter are to:

- 13 (1) Provide for the intent of the respective zones, and to provide for the vision, goals,
14 and objectives of the respective general plans, by specifying general standards that
15 may be applied by the Land Use Authority to a use listed as a conditional use in this
16 Land Use Code.
- 17 (2) Provide a reasonable process for the application for and timely review of a
18 conditional use permit.

19 (b) The intent of providing conditional use regulations is to provide allowance for additional
20 uses in each zone and give the land use authority flexibility in applying reasonable
21 conditions to effectively manage unique characteristics or detrimental effects of them, on
22 a case by case basis. Conditions shall be related to the standards of this Chapter, or
23 relevant requirements of any other Chapter of this Land Use Code.

24 **Sec. 108-4-2. - Conditional use permit.**

- 25 (a) A conditional use permit shall be required for all uses listed as a conditional use in the
26 Weber County Land Use Code. The conditional use permit shall list all conditions and
27 requirements, based on applicable standards, determined appropriate to substantially
28 mitigate the detrimental effects created by the use in order to make it acceptable at the
29 specific location.
- 30 (b) In the event a change is proposed from the conditions of the original approval, an
31 amendment to the original conditional use permit shall be required.

32 (c) A conditional use permit shall run with the property, unless the permit has expired, been
33 revoked, or been abandoned.

34 **Sec. 108-4-3. – Application and review procedure.**

35 Applications for a conditional use permit shall be submitted to the planning division.

36 (1) An application shall include:

- 37 a. A completed application form signed by the property owner or certified agent.
- 38 b. An application fee. The payment of a partial application fee, or the submittal of
39 plans for a pre-submittal review, does not constitute a complete application.
- 40 c. A written narrative explaining the proposal. The narrative shall include, at a
41 minimum, the following information:
- 42 1. Name of the project.
- 43 2. The name, home, and if applicable, business address, of the applicant.
- 44 3. As applicable, the name and business address of the project designer or
45 engineer.
- 46 4. A written explanation of how the proposal complies with the applicable
47 standards of [Section 108-4-4](#), and those applicable standards of Section
48 108-1 and Section 108-2.
- 49 d. Detailed vicinity map. The map shall include, at a minimum, the following
50 information:
- 51 1. Name of the project.
- 52 2. North arrow.
- 53 3. All significant natural and manmade features and existing structures within
54 200 feet of any portion of the proposed project area.
- 55 4. The property boundaries of the proposal.
- 56 5. The names and site addresses of adjacent property owners.
- 57 e. Graphic representation of the proposal. The graphic representation shall be
58 designed to provide, at a minimum, the following information:
- 59 1. Name of the project.
- 60 2. The name, home, and if applicable, business address, of the applicant.
- 61 3. As applicable, the name and business address of the project designer or
62 engineer.
- 63 4. Drawn to a scale that makes the project easily and clearly legible.
- 64 5. A north arrow pointing to the left or top of the sheet.
- 65 6. Boundary of the site, including any building pad, public and private
66 easements, and other areas affected by the proposal.
- 67 7. The names and site addresses of adjacent property owners.

- 68 8. Existing zoning
- 69 9. Total acreage of the entire affected property and, if the property is split by
- 70 zoning, the total acreage of property in each zone.
- 71 10. The location and width of existing and proposed roads, driveways, and
- 72 parking areas, as may be applicable.
- 73 11. The location of existing and proposed manmade features, including
- 74 bridges, railroad tracks, structures, and fences.
- 75 12. Existing and, if applicable, proposed culinary water, irrigation water, and
- 76 sanitary sewer infrastructure.
- 77 13. Existing and proposed topographic contours, including, if applicable, any
- 78 details necessary to explain proposed grade changes, fills or excavations,
- 79 or any other earth work, together with accompanied drainage plans, storm
- 80 water pollution protection plans, and revegetation plans.
- 81 14. Location and type of existing landscaping and vegetation, and proposed
- 82 changes thereto if any. If applicable, location and type of new landscaping
- 83 and vegetation.
- 84 15. Location of Flood Plain boundaries, if applicable.
- 85 16. Any other proposed site improvements showing details and other
- 86 applicable design and architectural requirements specified in Section 108-
- 87 1 and Section 108-2.
- 88 f.
- 89 g. Applicable impact studies or other technical studies that may be necessary to
- 90 provide evidence of anticipated detrimental effects of the proposal, or evidence
- 91 of compliance with the applicable standards.
- 92 h. Any additional pertinent information needed to adequately describe the
- 93 proposal, or provide evidence of compliance with the applicable standards.
- 94 i. For those applications where no changes are proposed to an existing site or
- 95 structure, or where the application requirements are unnecessary to
- 96 demonstrate compliance with applicable ordinances and standards, the
- 97 application requirements may be modified by the Zoning Administrator.
- 98 (2) Application submittal and review.
- 99 a. The County's review of a conditional use permit application is intended to
- 100 verify compliance with applicable ordinances and provide appropriate and
- 101 reasonable mitigation of anticipated detrimental effects.
- 102 b. The application review procedure is as follows:
- 103 1. Pre-application meeting. Prior to submission of a complete application, a
- 104 pre-application meeting is required to be held with planning staff, in which
- 105 an applicant will provide preliminary plans for planning staff to review and
- 106 discuss with the applicant. This meeting is intended to provide the
- 107 applicant with a better understanding of the conditional use process and

- 108 requirements in order to assist with the submission of a complete
 109 application.
- 110 2. Complete application submission. Upon assembling a complete
 111 application, the applicant may submit it for substantive review. Incomplete
 112 applications shall not be accepted. Staff will review the application for
 113 completeness. In the event the application is incomplete, staff will return it
 114 to the applicant with a list of deficiencies.
- 115 3. Upon acceptance of an application, planning staff shall transmit it to
 116 applicable reviewers as may be determined necessary to verify
 117 compliance with the standards of this Chapter, or relevant requirements of
 118 any other Chapter of this Land Use Code.
- 119 4. Applicable reviewers shall forward to planning staff reasonable
 120 recommendations for conditions necessary to substantially mitigate the
 121 reasonably anticipated detrimental effects of the proposed use in
 122 accordance with applicable standards.
- 123 5. Planning staff shall review the application, together with the reasonable
 124 recommendations from applicable reviewers, to determine compliance
 125 with this Land Use Code. Planning staff shall assemble a staff
 126 recommendation, with conditions and findings, for the application, then
 127 forward the recommendation with the application to the Land Use
 128 Authority for a final decision.
- 129 6. Upon receipt of the application and staff recommendation the Land Use
 130 Authority shall make final decision on whether the application complies
 131 with this Land Use Code, in accordance with the requirements of Section
 132 108-4-4. Final decisions shall be accompanied by any applicable
 133 conditions, and relevant findings.
- 134 7. The Planning Commission is the Land Use Authority for conditional use
 135 permits.

136 **Sec. 108-4-4. – Decision requirements.**

- 137 (a) A conditional use shall be approved if reasonable conditions are proposed, or can be
 138 imposed, to substantially mitigate the reasonably anticipated detrimental effects of the
 139 proposed use in accordance with the standards of this Chapter, or relevant standards or
 140 requirements of any other Chapter of this Land Use Code. When considering any of the
 141 standards, the Land Use Authority shall consider the reasonably anticipated detrimental
 142 effects of the proposed use in the context of current conditions and, to the extent supported
 143 by law, the policy recommendations of the applicable general plan.
- 144 (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be
 145 substantially mitigated by the proposal or the imposition of reasonable conditions to achieve
 146 compliance with applicable standards, the conditional use may be denied.

147 **Sec. 108-4-5. - Conditional use standards.**

148 The following is a list of standards that may be applied to a conditional use permit. The Land
149 Use Authority may apply any relevant standard to a conditional use provided credible evidence
150 exists that such standard is reasonable and necessary to mitigate detrimental effects of the use.

151 (1) Standards relating to safety for persons and property.

- 152 a. Mitigate injury, loss of life, property damage, or other disproportionate demand
153 for services on applicable fire fighting agencies.
- 154 b. Mitigate injury, loss of life, or other disproportionate demand for services on
155 applicable emergency medical service agencies.
- 156 c. Mitigate injury, loss of life, property damage, criminal activity, the need for
157 added peace keeping activities, or other disproportionate demand for services
158 on the County Sheriff's Office.
- 159 d. Mitigate injury, loss of life, or property damage of any known geologic hazard
160 or flood hazard, if credible evidence of such a detrimental effect is present.
- 161 e. Mitigate the creation of traffic hazards and right-of-way conflicts, including
162 mitigation of traffic hazards caused by:
 - 163 1. the location, massing, size, or height of buildings, structures, and other
164 facilities, including signage, fencing and landscaping;
 - 165 2. the frequency of heavy truck traffic to and from the site (i.e. import and
166 export of materials, deliveries, etc.) to minimize right-of-way conflicts with
167 regular vehicle and pedestrian traffic.
- 168 f. Substantially mitigate the likelihood that the proposed use or facility may cause
169 bodily injury or property damage to potential persons or property in the area.

170 (2) Standards relating to infrastructure, amenities, and services.

- 171 a. Mitigate undesirable vehicle or pedestrian traffic patterns or volumes.
- 172 b. Mitigate internal circulation inefficiencies and provide for adequate onsite
173 parking given the unique specificities of the proposed use or the proposed site
174 plan.
- 175 c. Mitigate material degradation of the level of service of any street.
- 176 d. Mitigate material degradation of the level of service of any storm water
177 drainage facility or infrastructure, and adequately provide for storm water
178 drainage from the site.
- 179 e. Mitigate material degradation of the level of service of any culinary and
180 irrigation water facility or infrastructure, and, if applicable, adequately provide
181 culinary and irrigation water service to the site.

- 182 f. Mitigate material degradation of the level of service of any sanitary sewer
183 service, and, if applicable, adequately provide sanitary sewer service to the
184 site.
- 185 g. Mitigate material degradation of the level of service of any other utility, and, if
186 applicable, adequately provide such utility services to the site.
- 187 h. Mitigate material degradation of the level of service, functionality, capacity, or
188 usability of the existing open spaces, public features, or recreational amenities
189 in the area, and, if applicable, adequately provide additional open spaces,
190 public features, or recreational amenities.
- 191 i. Mitigate any disproportionate demand for government services, generally.

192 (3) Standards relating to the environment.

- 193 a. Mitigate detrimental effects on the natural features of the site, and the
194 surrounding affected areas, if credible evidence of such a detrimental effect is
195 present; including, but not limited to, rivers and creeks, lakes, ponds, and
196 reservoirs, wetlands, drainage ways, ground water protection, and slopes.
- 197 b. Mitigate detrimental effects on the natural environment of the site, and the
198 surrounding affected areas, if credible evidence of such a detrimental effect is
199 present; including, but not limited to, wildlife, air quality, water quality (including
200 erosion control), local natural resources, natural vegetation (including
201 protection against noxious or invasive species), and wildland areas.

202 (4) Standards relating to the current qualities and characteristics of the surrounding area
203 and compliance with the Intent of the general plan.

- 204 a. Mitigate the proximity of incompatible uses, unattractive site features, and
205 disharmony with existing and future land uses in the area by providing
206 buffering, screening, or fencing of the use or site, as may be applicable.
- 207 b. Mitigate unacceptable light emission from the site by requiring appropriate
208 controls for the duration, direction, shielding, and intensity of lighting such that
209 limited, if any, direct light leaves the site and reflected light is at generally
210 accepted dark sky standards.
- 211 c. Mitigate nuisance factors including, but not limited to, noise, vibrations, smoke,
212 dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic
213 disturbances, and radiation, if credible evidence of such a nuisance is present.
- 214 d. Mitigate unattractive or unsightly property with vegetation and other landscape
215 features which are designed to increase the attractiveness of the site.
- 216 e. Mitigate unattractive or incompatible design of buildings and site
217 improvements, including the mass, size, number, location, and exterior
218 features and materials of buildings, structures, and other facilities, including
219 signage, in a manner that generally resembles or complements development in
220 the surrounding area, and advances the design goals and objectives, if any, of
221 the general plan or applicable master plan.

- 222 f. Mitigate unattractive colors of buildings and site improvements, including
223 signage, in a manner that uses natural colors found in the surrounding area,
224 and advances the design goals and objectives, if any, of the general plan or
225 applicable master plan.
- 226 g. Mitigate conflict or incompatibility with surrounding uses by providing hours of
227 operation appropriate for the general nature and character of existing land
228 uses in the area.
- 229 h. Mitigate aesthetic impacts by requiring reclamation, restoration, clean-up, and
230 beautification of the site as the use evolves, or as the use is terminated.
- 231 i. Mitigate detrimental effects of the use when considering the combined effect of
232 it and other main uses on the property.
- 233 j. To the extent supported by law, mitigate other general detrimental effects in a
234 manner that sustains the objectives and intentions of the County's general
235 plan, future land use map (or proposed land use map) and this Land Use
236 Code,

237 (5) Standards Relating to Performance.

- 238 a. Mitigate potential noncompliance or poor performance by providing
239 appropriate performance measures, including, but not limited to, completion or
240 performance bonds, completion agreements, and development agreements.
- 241 b. Mitigate potential noncompliance or poor performance by requiring regular
242 review or monitoring of the use by an appropriately qualified professional.

243 (6) Standards Generally

- 244 a. Mitigate unsustainable effects on the economy of the surrounding area or
245 County, generally, if credible evidence of such negative effects is present.
- 246 b. Provide appropriate mitigation of detrimental effects as provided elsewhere in
247 this land use code in a manner that provides compliance with the provisions of
248 the land use code, and any other federal, state, or local regulation, as may be
249 applicable.

250 (7) Voluntary contributions providing satisfactory compliance with applicable standards.

251 When considering a conditional use the Land Use Authority has discretion to
252 determine satisfactory compliance with any applicable standard, requirement,
253 provision, or restriction of this Chapter if the applicant has voluntarily offered a more
254 desirable alternative to mitigate the reasonably anticipated detrimental effects of the
255 use than those otherwise specified here. The Land Use Authority may require a
256 development agreement to execute the voluntary alternative.

257 **Sec. 108-4-6. - Appeal.**

- 258 (a) The decision of the Land Use Authority may be appealed to the Appeal Authority, in
259 accordance with section 102-3 of this land use code, by filing such appeal within 15 days
260 after the written decision of the Land Use Authority.

- 261 (b) The Appeal Authority may uphold or reverse the decision of the Land Use Authority and
- 262 impose any additional conditions that it may deem necessary in granting an appeal.
- 263 (c) The Board of Adjustment is the Appeal Authority for conditional use permits.

264 **Sec. 108-4-7. - Permit and improvement guarantee.**

- 265 (a) Prior to the issuance of a conditional use permit the applicant shall submit the
- 266 appropriate required letters and/or permits from the appropriate review agencies.
- 267 (b) Prior to the issuance of certificate of occupancy permit, a business license or any other
- 268 permit required by the county, the developer shall deposit funds into an escrow account
- 269 with the county engineering division for all off-site improvements and on-site landscaping,
- 270 as may be allowed by law, as per the approved site plan, and for the completion of any
- 271 incomplete improvements or conditions of approval.

272 **Sec. 108-4-8. – Revocation and expiration.**

- 273 (a) A conditional use permit may be revoked by the Land Use Authority upon failure to
- 274 comply with any applicable standard, requirement, provision, restriction, or condition of
- 275 approval. A conditional use permit may also be revoked by the Land Use Authority if the
- 276 use evolves to be more impactful than originally proposed, anticipated, evaluated or
- 277 reviewed.
- 278 (b) Unless there is substantial action under a conditional use permit within a maximum
- 279 period of one year of its approval from the Land Use Authority, the conditional use permit
- 280 shall expire. The Land Use Authority may grant a maximum extension of six months.
- 281 Upon expiration of any extension of time granted by the Land Use Authority, the approval
- 282 for the conditional use permit shall expire and become null and void.

284 **Sec. 108-4-9. - Discontinued use.**

285 When an approved conditional use has been discontinued and/or abandoned for a period of one

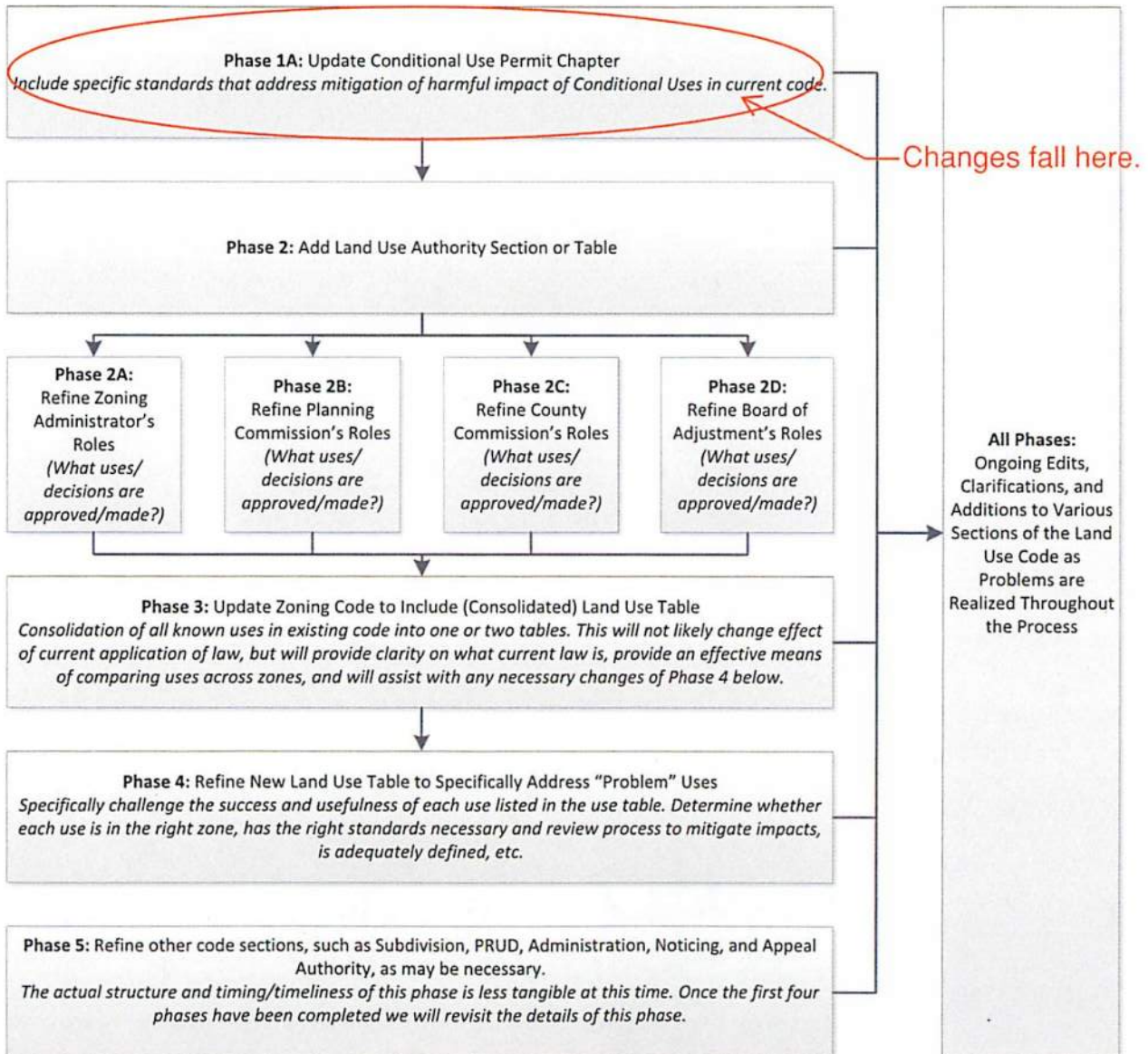
286 year, the conditional use permit becomes null and void. In order to restore the conditional use, a

287 new application shall be filed for review and consideration by the Land Use Authority.

288

Weber County Land Use Code Revision Process Workflow

This flowchart is intended to illustrate the intended course of the revision process. It is not an absolute plan, and deviations may occur as more information is gathered, but it will provide the Planning Commission with an idea where we are in the process at any given time. Staff will refer to this structure regularly.





Weber County Planning Division

To: Ogden Valley and Western Weber Planning Commissions
From: Charles Ewert, AICP
Date: April 28, 2015
Subject: Weber County Land Use Code Revision Process: Land Use Table – Agricultural Uses

Background. We are continuing our efforts to update the County codes by adding a Land Use Table with all allowed uses in all zones in one comparative table, and removing the land use lists in their individual zones. This will be done in several steps. We will forward complete use categories (i.e. agricultural, commercial, recreational, residential, etc) to the Planning Commission as they are ready for review.

The topic of this discussion is about agricultural uses.

The objective of this phase of code changes is to make minimal changes to the application of the existing code whilst modifying the framework in a manner that enables more efficient future changes. Later, we will discuss changing uses in each zone.

Analysis. The following is a general overview of the proposal based on the more substantive changes. The Planning Commission can archive (or recycle) the tables previously disseminated, or keep them for comparative analysis. The exhibits herein will replace them moving forward. Most of the changes you will find are a result of the comments or questions that were in the cell title "Notes (temporary column) in those older tables.

The multi-colored text is explained in the rows at the top, most are self explanatory. The orange text, explained as "recommended changes for future use table update" is intended to emphasize considerations that are not relevant now, but will merit attention when we come back to make use changes. Keep them in your thoughts for now.

Please note that one of the primary goals of this framework restructuring is to make it clear what uses are subject to site design and architectural standards. As you will read below, there are several examples of clarifications on this point.

Animal Husbandry Uses. The big change for agricultural uses is the addition of the term "animal husbandry" to the code. This addition is intended to subcategorize certain agricultural-animal uses, and provide another location in the code for its standards. When moving to a land use table from our current land use lists, the lengthy standards of a use (for example: "the raising and grazing of horses, cattle, sheep, or goats,") will make the table unmanageable. It is better to remove most of the standards from the table and place them into a supplemental standards section.

I selected Section 108-7-8 for this purpose. With this proposal, that section will be renamed to "animal husbandry." Most standards that are found for agricultural-animal uses have been moved there.

Another shift here is the move from listing every type of animal (i.e. horse, cow, duck, etc.) in their respective uses to generalizing animals into two categories: first, "large-animal farm animal husbandry unit" and second, "small animal farm animal husbandry unit." The supplemental animal husbandry section then qualifies what kind of animal belongs in each. This qualifier is based on the animals' size, food consumption, and waste production. This consolidation will help ease the application of the code for varying animal types, and will address them based more on their impacts instead of species.

Dairy or Creamery v. Dairy Farm. The way these two uses are listed in the different zones makes it confusing when listing in the same land use table. For example, a dairy or creamery is only allowed in the A-3, M-1, M-2, and M-3 zones, but a dairy farm is allowed in all agricultural zones and the M-1, M-2, and M-3 zones. It



Weber County Planning Division

seems apparent that the intent in listing these two uses separately is to indicate that one is more impactful than the other, "dairy or creamery" being the more impactful. The trouble comes when attempting to determine at what threshold a "dairy farm" becomes a "dairy or creamery." It is important to know this threshold because a commercial dairy or creamery will be required to comply with site design standards. To make it a little more complicated, a dairy farm is allowed to process milk, provided at least 50% of the production comes from the site.

Our solution to provide clarity is to define a "dairy" as a separate kind of use than a "dairy farm." We then categorized "dairy" as a commercial use in the commercial use section, and left "dairy farm" in the agricultural section. With this change, a "dairy" will be subject to site design standards, regardless of whether it is in the A-3 zone or the manufacturing zones; a dairy farm will not. See their definitions for the differences.

Horse and Corral. The code is fairly explicit that horse facilities get their own considerations apart from general corralling or stabling of other animals. There are several different and inconsistent ways the current code provides for these facilities. To eliminate inconsistencies, the proposal consolidates horse facilities into four general categories: "private horse stable," "private horse and equestrian training facilities," "public horse and equestrian training facilities and horse stable," and "horse or equestrian events center." The first two are categorized in the agricultural use section, and the latter two are categorized in the commercial use section and will be subject to site design standards.

Greenhouse. Greenhouse was listed several different ways in the various zones. It appears the intent is to allow agricultural uses to have a greenhouse for the sales of product grown onsite, whilst not allowing it to evolve into a full scale commercial greenhouse.

It also appears that there may be some intent for certain zones to allow a private greenhouse. Since having a greenhouse as an accessory building is already something a landowner may have as an accessory use to an existing main use, we interpret "private greenhouse" to be something different. It seems it may be describing a greenhouse as a main use.

Thus, the proposal consolidates the uses into three: "greenhouse, agricultural" and "greenhouse, noncommercial," and "greenhouse, commercial." "Greenhouse, commercial" will be subject to site design standards.

Accessory Uses. The proposal also begins to address accessory uses. What is inferred from the crafting of today's code is that if the use is listed, it is allowed, regardless of what other main uses exist on the property. This may not have always been the case in the interpretation. The proposal explicitly lists certain uses as accessory uses when they are typically incidental and accessory to other uses and states for what uses they are to be accessory. In the notes column you will find a few additional accessory uses that are recommended to be tied to main uses in the future.

Planning Commission Consideration. I respectfully request that the Planning Commission carefully consider the proposal, and provide me general direction for needed changes prior to it being formally presented for review and recommendation to the County Commission.

Attachments. In the attached exhibits the Planning Commission will find the documents as listed below. They are being provided for the Planning Commission's reference, and may prove useful during our discussion.

- Exhibit A: Proposed Land Use Table, with Redlines and Comments
- Exhibit B: Proposed Land Use Table, Clean Copy
- Exhibit C: Proposed Code Changes (Agriculture Uses), with Track Changes
- Exhibit D: Proposed Code Changes (Agricultural Uses), Clean Copy
- Exhibit E: Weber County Land Use Code Revision Process Workflow

		Deletions (temporary column)	Notes (temporary column)
1	<p>Proposed Changes: <u>Blue Underline = Proposed Code to be Added</u> Red-Strikethrough = Existing Code to be Deleted</p>		<p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes. Term: use = The word "use" here is intended to provide the word "term" with additional qualifications. <i>Purple = General labels and identifications to help organize code. These have been added by staff and are not part of the current code.</i> <i>Green = Recommended additions to clarify existing provisions</i> <i>Orange = Recommended changes for future use table update</i> <i>Navy blue = Definition</i></p>
2	<p>Agriculture and Agricultural Industry</p>		
3	<p><u>Agriculture. Agricultural uses not otherwise more specifically regulated by this Land Use Code.</u></p>	<p>Agriculture.</p>	<p>Definition (LUC 101-1-7): Agriculture. The term "agriculture" means use of land for primarily farming and related purposes such as pastures, farms, dairies, horticulture, aquaculture, animal husbandry, and crop production, but not the keeping or raising of domestic pets, nor any agricultural industry or business such as fruit packing plants, fur farms, animal hospitals or similar uses.</p> <p>Recommendation: Qualify this term as it applies to this specific use row. The regulations for the other more specific agricultural uses herein prevail over this use.</p> <p>See new proposed recommended definition of animal husbandry: The term "animal husbandry" means a branch of agriculture for the raising, nurturing, management, breeding and production of domesticated farm animals, not including household pets as defined by this section. Animals are bred and raised for utility (e.g. food, fur), sport, pleasure, and research."</p>
4	<p><u>Agricultural experimentation station. Agricultural experiment station</u></p>	<p>Agricultural experiment station</p>	<p>See new proposed recommended definition of "agricultural experimentation station."</p> <p>Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones. A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.</p>
5	<p><u>Agricultural laboratory. Laboratory facility for agricultural products and soils testing.</u></p>	<p>Laboratory facility for agricultural products and soils testing.</p>	<p>Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>
6	<p><u>Agri-tourism. agri-tourism, subject to the requirements of Section 108-21 of this Land Use Code.</u></p>	<p>Agri-tourism, subject to the requirements of Section 108-21 of this Land Use Code.</p>	
7	<p><u>Animal husbandry: aquaculture. Aquacultural uses, not open to the public, subject to the requirements of Section 108-7-8 of this Land Use Code</u></p>	<p>Aquarium</p>	<p>Definition (LUC 101-1-7): [Aquarium. No definition]</p> <p>Merriam Webster: aquar-i-um noun \ə-ˈkwer-ē-əm\ : a glass or plastic container in which fish and other water animals and plants can live : a building people can visit to see water animals and plants</p> <p>Recommendation: Change this term to "aquaculture." We do not think today's definition of aquarium was intended when this was written.</p> <p>Add new proposed definition (LUC 101-1-7): "Aquaculture means the cultivation of aquatic organisms (such as fish, shellfish, or aquatic plants) especially for food or fertilizer."</p> <p>Add new proposed definition (LUC 101-1-7): "Animal husbandry.</p> <p>Recommendation for future changes: "This is an accessory use to another allowed use in the zone if conducted on lots less than five acres."</p>
8	<p><u>Animal husbandry: apiary or aviary. Apiary or aviary, not open to the public, subject to the requirements of Section 108-7-8 of this Land Use Code.</u></p>	<p>Apiary, or aviary.</p>	<p>Recommendation for future changes: "This shall be an accessory use to another allowed use in the zone if conducted on lots less than five acres."</p>
9	<p><u>Animal husbandry: dairy farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</u></p>	<p>Dairy farm and milk processing and sale provided at least 50 percent of milk processed and sold is produced on the premises. #In the A-3 zone: Five acre minimum lot area.</p>	<p>See also "dairy" in commercial uses. The terminology in the current code between a "dairy" and a "dairy farm" is confusing. These changes help clarify.</p> <p>See new proposed recommended definition of "dairy farm."</p>
10	<p><u>Animal husbandry: family food production. Animal husbandry for on-site family food production as an accessory use to a single family dwelling, and subject to the requirements of Section 108-7-8 of this Land Use Code.</u></p>	<p>Animals and fowl kept for family food production as an accessory use</p>	<p>See proposed amended definition (LUC 101-1-7): "Family food production. The term "family food production" means the use of animal husbandry, as defined by this section, for the sole benefit of the land owner, and not for commercial purposes."</p> <p>Recommendation for future changes: This should not be permitted in the M-X zones if Single Family Dwellings are prohibited. Will they be?</p>
11	<p><u>Animal husbandry: fur farm, general. General fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required</u></p>	<p>Fur farm, provided it is conducted on a lot five acres or greater.</p>	<p>See new proposed recommended definition of "animal husbandry."</p>

1	<p align="center">Proposed Changes: <u>Blue Underline = Proposed Code to be Added</u> Red Strikethrough = Existing Code to be Deleted</p>		<p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes. Term: use = The word "use" here is intended to provide the word "term" with additional qualifications. <i>Purple = General labels and identifications to help organize code. These have been added by staff and are not part of the current code.</i> <i>Green = Recommended additions to clarify existing provisions</i> <i>Orange = Recommended changes for future use table update</i> <i>Navy blue = Definition</i></p>
12	<p><u>Animal husbandry: Fur farm, chinchilla.</u> Chinchilla fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</p>	<p>Chinchilla-raising; <i>*In the RE-15 and RE-20 zones: 40,000 square-foot minimum lot area required.</i></p>	<p>See new proposed recommended definition of "animal husbandry."</p>
13	<p><u>Animal husbandry: swine farm, large.</u> Large swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</p>	<p>Hog ranch, provided that no person shall feed any hogs any market refuse, home refuse, garbage or offal other than that produced on the premises. All pens and housing for hogs shall be concrete and maintained in a sanitary manner and drainage structures and disposal of animal waste shall be provided and properly maintained.</p>	<p>See new proposed recommended definition of "animal husbandry." <i>Consider requiring a 5 acre minimum lot size similar to that required in "small hog farm."</i></p>
14	<p><u>Animal husbandry: swine farm, small.</u> Small swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</p>	<p>The keeping and raising of not more than ten swine, more than 16 weeks old, provided that no person shall feed any such swine any market refuse, house refuse, garbage or offal other than that produced on the premises.</p>	<p>See new proposed recommended definition of "animal husbandry."</p>
15	<p><u>Animal husbandry: large-animal farm.</u> The raising and grazing of any "large-animal farm" animal husbandry unit, except where otherwise more specifically regulated by this Land Use Code, and subject to the requirements of Section 108-7-8 of this Land Use Code. When conducted in the RE-15, RE-20, AV-3, A-1, and A-3 zones, a five acre minimum lot area is required.</p>	<p>Grazing and pasturing of animals. <i>*In the F-5, F-10, and F-40 zones: Limited to one horse or cow per acre of land exclusively dedicated to the animal.</i></p>	<p><i>Recommendation for future changes: Should head per acre be regulated in the RE-15, RE-20, AV-3, A-1, A-2, and A-3? It does not appear that the current code restricts the total number of animal husbandry units on land in the RE-15, RE-20, AV-3, A-1, A-2, and A-3 zones, unless the animals are corraled. This could be problematic, especially for the RE zones. A minimum of five acre lots size is required for each, but with no head per acre limit this use does not seem compatible with residential uses. Should there be limits on the number of head per acre? There appear to be limits on the number of head per acre in the F-5, F-10, and F-40 zones... I cannot determine why they have limits but the other zones do not.</i> See new proposed recommended definition of "animal husbandry."</p>
16	<p>[Delete this use and merge with "animal husbandry: large-animal farm" above. Move qualifying standards to proposed animal husbandry section in supplemental regulations.]</p>	<p>Raising and grazing of horses, cattle, sheep or goats, as part of a farming operation, including the supplementary or full feeding of such animals, provided that: 1. In the RE-15 and RE-20 zones, such raising or grazing is not a part of, nor conducted in conjunction with any livestock feed yard, livestock sales yard, slaughterhouse, animal by products business or commercial riding academy; 2. In the AV-3, A-1, A-2, and A-3 zones, such raising and grazing when conducted by a farmer in conjunction with any livestock feed yard, livestock sales, or slaughterhouse shall not exceed a density of [25 head in the AV-3 and A-1 zones, 40 head in the A-2 and A-3 zones] per acre of used land; shall be carried on during the period of September 15 through April 15 only; shall be not closer than [300 in the A-1 zone, and 200 in the AV-3, A-2, and A-3 zones] feet to any dwelling, public or semi-public building on an adjoining parcel of land; and shall not include the erection of any permanent fences, corrals, chutes, structures or other buildings normally associated with a feeding operation. <i>*In the RE-15, RE-20, AV-3 and A-1, A-2, and A-3 zones: Five acre minimum lot area.</i></p>	
17	<p><u>Animal husbandry: livestock feed yard or livestock sales yard.</u> Livestock feed yard or livestock sales yard, subject to the requirements of Section 108-7-8 of this Land Use Code.</p>	<p>Livestock feed or sales yard.</p>	<p>See new proposed recommended definition of "animal husbandry."</p>
18	<p><u>Animal husbandry: keeping of horses.</u> The keeping of horses for private use only, subject to the requirements of 108-7-8. In the O-1 zone a five acre minimum devoted pasture size is required.</p>	<p>The keeping of horses for private use only. <i>*In the RE-15, RE-20, FV-3, FR-1 and DRR-1 zones: Minimum of one acre per two horses. *In the AV-3 zone: Minimum of 20,000 sq ft per two horses. *In the A-1, A-2 and A-3 zones: Minimum of half acre per two horses. *In the F-5, F-10, and F-40 zones: Minimum of one acre per horse. *In the O-1 zone: Five acre minimum pasture size, with a maximum density of two horses per acre.</i></p>	<p>See new proposed recommended definition of "animal husbandry." <i>Recommendation: -Remove "Private stables" from this use and move it to separate use row [Row 35]. Regulate only keeping of horses on this row. -Provide consistent pasture area per horse throughout zones -Be consistent in requiring "devoted pasture ground."</i></p>

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19	<p><u>Animal husbandry: small-animal farm.</u> Farms devoted to the production and raising of "small animal farm: animal husbandry units, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</p>	<p>Farms devoted to the hatching, raising (including fattening as incident to raising) of chickens, turkeys or other fowl, rabbit, fish, frogs or beaver hatched or raised on the premises; *Five acre minimum lot area is required in the RE-15, RE-20, AV-3, A-1, A-2 and A-3 zones.</p>	<p><i>Recommendation for future changes: Should animal units per acre be regulated in the RE-15, RE-20, AV-3, A-1, A-2, and A-3? It does not appear that the current code restricts the total number of animal husbandry units on land in the RE-15, RE-20, AV-3, A-1, A-2, and A-3 zones. This could be problematic, especially for the RE zones. A minimum of five acre lots size is required in each, but without a limit on unit per acre this use does not seem compatible with residential uses. Should there be limits?</i> <i>See new proposed recommended definition of "animal husbandry."</i></p>
20	<p>[Delete this use and merge with "animal husbandry: small scale slaughtering" below]</p>	<p>Raising and slaughtering of rabbits limited to a maximum of 500 rabbits at any one time.</p>	
21	<p><u>Animal husbandry: small scale slaughtering.</u> The small scale commercial slaughtering, dressing, and marketing of "small-animal farm" animal husbandry units, as an accessory use to a "small-animal farm," and subject to the requirements of Section 108-7-8 of this Land Use Code.</p>	<p>Slaughtering, dressing, and marketing on a commercial scale of chickens, turkeys, or other fowl, rabbits, fish, frogs or beaver in conjunction with the hatching and raising of such animals on farms.</p>	<p>What are the standards? Should commercial design review be required? This is intended to be incident to a small animal farm, this should probably be limited to animals raised or produced onsite. See also "slaughterhouse" in the commercial use section for larger animal slaughtering operations.</p>
22	<p><u>Animal slaughtering:</u> See "slaughterhouse" in commercial use section of this table.</p>	<p>Slaughterhouse.</p>	
23	<p><u>Botanical or zoological garden.</u> A botanical or zoological garden, subject to applicable requirements of Section 108-7-8 of this Land Use Code if any animals are onsite.</p>	<p>Botanical or zoological garden.</p>	<p><i>Merriam Webster</i> <i>zoology: the branch of science that involves the study of animals and animal behavior</i></p>
24	<p><u>Grain storage elevator.</u> A grain storage elevator, for storing and conditioning large amounts of grain. Five acre minimum lot area is required.</p>	<p>Grain storage elevators *In the A-2 and A-3 zones: Five acre minimum lot area.</p>	
25	<p><u>Greenhouse, agricultural.</u> A greenhouse or nursery, accessory to an agricultural use, limited to the sale of product produced on the premises. No retail shop.</p>	<p>Greenhouse and nursery with no retail shop operation *In the RE-15, RE-20, AV-3, A-1, and A-2 zones: Use is limited to the sale of material produced on premises.</p>	<p><i>Should this be allowed in the RE zones?</i></p>
26	<p><u>Greenhouse, noncommercial.</u> A noncommercial greenhouse, intended for the private use of participating persons who reside in the vicinity.</p>	<p>Noncommercial greenhouse.</p>	<p><i>Should this be allowed in more zones?</i></p>
27	<p><u>Greenhouse, commercial.</u> See "greenhouse, commercial" in commercial use section of this land use table.</p>	<p>Greenhouse. *In the AV-3, A-1, A-2 zones: greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.</p>	
28	<p><u>Horse and equestrian training and facilities, private.</u> Horse and equestrian training and training facility, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</p>	<p>Private equestrian training and stable facilities *In the AV-3, A-1, and A-2 zones: shall not exceed 10 horses per acre of devoted horse pasture. Five acre minimum lot area.</p>	<p>The DRR-1 zone only lists this as "equestrian center." Does not specify public or private as in other zones. The number of horses allowed per acre with this use is inconsistent with the number of horses allowed per acre for the "keeping of horses for private use" Is that intended? Should a certain amount of pasture ground be required? Is it intended that "full" feeding of stabled horses will occur? <i>Definitions 101-1-7:</i> <i>Stable. The term "stable" means an accessory or main building for the keeping of horses, cattle and other farm animals.</i> <i>Stable, private horse. The term "private horse stable" means a horse stable which is accessory to a residential dwelling unit or other main building, for the use of the owner/occupant, his friends and guests, not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group.</i> <i>Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses</i></p>

1	<p align="center">Proposed Changes: <u>Blue Underline</u> = Proposed Code to be Added Red-Strikethrough = Existing Code to be Deleted</p>		<p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes. Term: use = The word "use" here is intended to provide the word "term" with additional qualifications. <i>Purple = General labels and identifications to help organize code. These have been added by staff and are not part of the current code.</i> <i>Green = Recommended additions to clarify existing provisions</i> <i>Orange = Recommended changes for future use table update</i> <i>Navy blue = Definition</i></p>
29	<p><u>Horse and equestrian training and facilities, public.</u> See "Horse and equestrian training facilities and horse stables, public." in the commercial use section of this table.</p>	<p>Public equestrian training and stable facilities. *In the AV-3 and A-1 zones: shall not exceed five horse per acre. 10 acre minimum lot area. *In the A-2 and A-3 zones: Five acre minimum lot area.</p>	<p>The DRR-1 zone only lists this as "equestrian center." Does not specify public or private as in other zones, and does not specify a number of horses per acre.</p> <p>The number of horses allowed per acre with this use is inconsistent with the number of horses allowed per acre for the "keeping of horses for private use" Is that intended? Should a certain amount of pasture ground be required? Is it intended that "full" feeding of stabled horses will occur?</p> <p><i>Definition 101-1-7:</i> <i>Stable. The term "stable" means an accessory or main building for the keeping of horses, cattle and other farm animals.</i></p> <p><i>Stable, private horse. The term "private horse stable" means a horse stable which is accessory to a residential dwelling unit or other main building, for the use of the owner/occupant, his friends and guests, not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group.</i></p> <p><i>Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses.</i> re a difference? <i>The DRR-1 zone only lists this as "equestrian center." Does not specify public or private as in other zones, and does not specify a</i></p>
30	<p><u>Produce stand, agricultural.</u> A produce stand intended for the sales of agricultural products. In the AV-3, A-1, A-2, and A-3 zones it is limited to product produced on the premises only.</p>	<p>Fruit or vegetable stand. *In the AV-3, A-1, A-2, and A-3 zones: for produce grown on the premises only</p>	
31	<p><u>Produce storage and packing facility, agricultural.</u> A facility for the storage and packing of agricultural product produced onsite, as an accessory use to an agricultural operation. Five acre minimum lot area is required.</p>	<p>Fruit and vegetable storage and packing plant for produce grown on premises. *In the AV-3 and A-1 zones: Five acre minimum lot area is required.</p>	<p>Is this a commercial use? If not, why is this not allowed in the A-2 and A-3 zones? Should design review be required?</p>
32	<p>[Delete this use and merge with soil composting below]</p>		
33	<p><u>Stable, corral, or enclosure for the keeping of animals husbandry units.</u> Stable, corral, or building for the keeping of the specific animals or fowl identified by this Land Use Code as an animal husbandry use. This shall include stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animals or fowl, and shall comply with Section 108-7-8 of this Land Use Code. This use shall be accessory to an allowed animal husbandry use.</p>	<p>Stable, corral, or building for the keeping of animals or fowl. The building shall be located not less than 100 feet from a public street, and not less than 25 feet from any side or rear lot line.</p>	<p><i>Recommendation for future changes: Consider adding this as a permitted use in the F-X zones.</i></p>
34	<p><u>Stable, private horse.</u> Private horse stable, accessory to both the "keeping of horses" and a "single family dwelling" or other main building, for the purposes defined in Section 101-1-7 and in compliance with Section 108-7-8 of this Land Use Code.</p>	<p>Private stable</p>	<p>This use is pulled out of the "keeping of horses" use row [see row 16]. Despite the definition of "stable" including other farm animals, how this use was listed appears to make it exclusive to horses. It needs to be clarified as such.</p> <p><i>Definition (LUC 101-1-7):</i> <i>Stable, private horse. The term "private horse stable" means a horse stable which is accessory to a residential dwelling unit or other main building, for the use of the owner/occupant, his friends and guests, not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group.</i></p>
35	<p><u>Stable, public.</u> See "Horse and equestrian training facilities and horse stables, public." in the commercial use section of this table.</p>	<p>Public stable</p>	<p>Despite the definition of "stable" including other farm animals, how this use was listed, and given current definitions, it appears it is intended to be exclusive to horses. It needs to be clarified as such.</p> <p><i>Definition (LUC 101-1-7):</i> <i>Stable. The term "stable" means an accessory or main building for the keeping of horses, cattle and other farm animals.</i> <i>Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses.</i></p>
36	<p><u>Soil composting.</u> Soil composting and manufacturing, including manure spreading and drying, for the purpose of commercial sales. 10 acre minimum lot area required.</p>	<p>Soil composting, manufacture, and sales. *In the A-2 zone: 10 acre minimum lot area.</p>	<p>The A-3 zone does not currently require a 10 acre minimum lot area. This appears to be an oversight.</p>
37	<p><u>Sugar beet station.</u> Sugar beet loading or collection station, and in the A-2 and A-3 zones, sugar beet dumpsites.</p>	<p>Sugar beet loading or collection station *In the A-2 and A-3 zones: Sugar beet dumpsites</p>	
38	<p align="center">Commercial and Industrial</p>		
39	<p>Academies/studios for dance, art, sports, etc.</p>		
40	<p>Agricultural implement repair.</p>		
41	<p>Air conditioning, sales and service</p>		

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160	Freighting, [Draying M-1], or trucking yard or terminal.		<p>The term "draying" appears to reference an antiquated form of freighting that involves a flat bed horse-drawn cart, usually for hauling beer kegs. Suggest removing the term in favor of "freighting." Is this use intended to allow outdoor storage of freight? Or is it intended to be a trucking terminal? Two different things. Do we care about the difference in this M-X zones?</p>
161	Frozen food lockers, incidental to a grocery store or food business		
162	Fruit or vegetable store		C-X zones list this as "vegetable store or stand." Removed "stand" from here and added the use allowance for these zones in the "fruit and vegetables stand" under agricultural uses.
163	Fueling station/gas station		What are the design standards? Any additional needed here or elsewhere?
164	Fur apparel sales, storage or repair		
165	Furniture sales and repair		
166	Garden supplies and plant materials sales		
167	Gift store [C-X, CV-X], Gift shop, boutique [CVR-1].		Combined terms from C-X zones and CVR-1 zone
168	Glass sales and service		
169	Glass manufacturing		
170	Go cart racing or drag strip racing.		Can this fit into "amusement Enterprises?" If so, which prevails when it comes to this use proposed in other zones that allow amusement? Does specifically listing this restrict or prohibit that in other zones? Do we want it to? See also motorcycle track.
171	<p><u>Greenhouse, commercial. A greenhouse or nursery intended for retail or wholesale sales. In the AV-3, A-1, A-2 zones the greenhouse and nursery shall be limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.</u></p>	<p>Greenhouse, retail- *In the AV-3, A-1, A-2 zones -Greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.</p>	Is there a reason a retail greenhouse is not allowed in the A-3 zone?
172	Grocer, neighborhood market [DRR-1], small grocery store [CVR-1]		<p>Combined terms from DRR-1 and CVR-1. Any reason to list any of these separately? Any reason to list ALL of them at all? Seems redundant. Any difference between this and a Deli/small grocery store from the CVR-1 zone?" We need to define what a "small grocery store" is as compared with a "grocery store" (square footage). Or, if no intended difference combine the two uses.</p>
173	Grocery store or supermarket		"supermarket" is not listed in the CV-X zones. Is that because a supermarket is not a grocery store?
174	Gunsmith		<p>Merriam Webster: "one who designs, makes, or repairs small firearms" Are we really intending for a gun manufacturer to locate in the C-2 and C-3 zones? Or should they be restricted to M-X zones? Maybe restrict this use allowance to "Gun, retail sales?"</p>
175	<p>Gun club *In the A-3 zone: five acre minimum lot area.</p>		<p>What is a "club?" In the A-2 zone this use is listed with a bunch of unrelated uses, and has no minimum lot size. In the A-3 zone it stands alone and requires a minimum of five acres. Suggest providing consistency. The DRR-1 zone combines Gun club with skeet: "Gun club/skeet/sporting clay = C"</p>
176	Gymnasium		<p>How is this different than a rec center? Rec facility? Merriam Webster: a : a large room used for various indoor sports (as basketball or boxing) and usually equipped with gymnastic apparatus b : a building (as on a college campus) containing space and equipment for various indoor sports activities and usually including spectator accommodations, locker and shower rooms, offices, classrooms, and a swimming pool</p>
177	Hardware stores		
178	Health club		
179	Health food store		How is this different in function than a grocery store (small or large)?

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180	<p>Heliport, subject to the following standards:</p> <p><i>*In the F-40 and DRR-1 zones: A heliport must be located at and elevation of at least 6,200 feet above sea level. A heliport must be located at least 200 feet from any [property line in the F-40 zone, or resort boundary in the DRR-1 zone]. The planning commission may grant exceptions to the setback requirement if it can be demonstrated that locating the heliport closer than 200 feet to the [property line F-40 zone, or resort boundary in DRR-1 zone] provides a more beneficial situation for purposes of safety, noise abatement, access, or other valid reasons as determined by the planning commission. The heliport landing surface must be dust-proof and free from obstructions. Prior to issuance of a conditional use permit for a heliport, written approval from the Federal Aviation Administration (FAA) is required, if necessary.</i></p> <p><i>*In the F-40 zone: a. A heliport must be located on a single parcel of record which is not less than 40 acres in area.</i></p>		<p>Can the qualifications of this use in the F-40 zone and DRR-1 zone be places in their respective zones, or a supplemental regulations chapter?</p>
181	Hobby and crafts store		
182	Honey extraction.		
183	<p><u>Horse or equestrian event center. A horse or equestrian event center, including indoor concessions as an accessory use. Subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code.</u></p>	<p>Horse racing and training track, cutter track, including indoor concessions as an accessory use</p> <p>[combined with]</p> <p>horse [turf] jumping course</p>	<p><i>Recommendation: Combine "horse racing and training track, cutter racing track, including indoor concessions as an accessory use" with "horse [turf] jumping course." Give the use a name that starts with "equestrian" so it shows up near "equestrian training facilities and horse stables, public."</i></p> <p><i>Recommendation for future changes: Consider adding "horse shows" to this use.</i></p>
184	<p><u>Horse and equestrian training facility or horse stable, public. A public equestrian training facility or public horse stable. This use is subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code. A 10 acre minimum lot area is required in the AV-3 and A-1 zones. A five acre minimum lot area is required in the A-2 and A-3 zones.</u></p>	<p>Equestrian training facilities, public-</p> <p>[combined with]</p> <p>Stables, public</p> <p>[combined with]</p> <p>Horse rentals</p> <p>[combined with]</p> <p>Riding academy</p>	<p>The DRR-1 zone only lists this as "equestrian center." Does not specify public or private as in other zones, and does not specify a number of horses per acre.</p> <p>The number of horses allowed per acre for a public equestrian facility [allowed in the AV-3 and A-1 zone] is different than the number allowed for horse rentals [allowed in the CVR-1 zone]. This number is also inconsistent with the number of horses allowed per acre for the "keeping of horses for private use" Is that intended? Should a certain amount of pasture ground be required? Is it intended that "full" feeding of stabled horses will occur? If so, we should say it.</p> <p><i>Definition 101-1-7:</i> <i>Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses.</i></p> <p><i>Recommendation: Combine "equestrian training facilities, public" "stables, public," "horse rentals," and "riding academy," into one use row and regulate them like commercial uses even though they are allowed dominantly in agricultural zones. This will help clarify that design review is required for these uses.</i></p> <p><i>This recommendation deviates from the program a little because it changes to some degree how each of these uses are regulated in certain zones. For example, the biggest change is allowing the use out-right in the CVR-1 zone where currently the CVR-1 zone only allows "horse rentals," and refers to allowing the horses to be stabled. However, considering the similarity in form and function, similar</i></p>
185	Horse feedstore and haystack yard.		<p>This use was clumped into "horse rentals (up to 10 horses per acre, if stabled) horse feed store and haystack yard." Given the recommendation to absorb "horse rentals" into "equestrian training facilities and horse stables, public" this needs to be specifically provided for in a separate use row.</p>
186	Hospital supplies		
187	House cleaning and repair		<p>Function: Will this be services provided offsite, with storage of material, and equipment onsite and office space? No retail sales onsite?</p>
188	House equipment display		<p>What is house equipment? Is this intended to include any household equipment? Appliances? Décor? What about tools and furniture?</p>
189	Household appliance sales and incidental service		
190	Ice cream manufacture		
191	Ice cream parlor		

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281	Pony ring, without stables		<p>How is this similar/different than other horse uses?</p> <p><i>Definition 101-1-7:</i> Stable. The term "stable" means an accessory or main building for the keeping of horses, cattle and other farm animals.</p> <p><i>Stable, private horse. The term "private horse stable" means a horse stable which is accessory to a residential dwelling unit or other main building, for the use of the owner/occupant, his friends and guests, not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group.</i></p> <p><i>Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses.</i></p>
282	Popcorn or nut shop		Consolidate into confectionary or similar?
283	Post office		
284	Pottery, sales and manufacture of crafts and tile		
285	Printing, lithographing, publishing or reproductions sales and services [C-X], Printing, copy sales and services [CV-X]. Lithographing, including engraving and photo engraving [M-X and MV-X].		
286	Private club, private liquor club		<p>Is this intended to be for a bar, or another kind of club? Are bars still called private clubs? Can this be included into "drinking establishment?" See also "private liquor club" in the C-X zones</p>
287	<u>Produce stand, commercial. A commercial produce stand intended for the sales of agricultural products.</u>	<p>Fruit or vegetable stand. In the AV-3, A-1, A-2, and A-3 zones: for produce grown on the premises only</p>	Should this use be required to have commercial site plan review before being allowed in the C-X or M-X zones? Should it be listed as a use in the commercial use section.
288	Professional office		Combine with all other professional offices?
289	Radio and television sales and service		
290	Railroad yards, shop and/or roundhouse.		
291	Real estate office.		
292	Reception center or wedding chapel		
293	Rental, equipment [CV-X]. Rental agency for home and garden equipment [C-X and MV-1].		
294	Residential property rental and management agency for recreation resort complexes.		Is this the same as a "real estate office?" Should it be consolidated?
295	Restaurant, no drive-thru. Restaurants, excluding those with drive-up windows.		Drive-up window? Or Drive thru? Or Drive-through. This is a terminology issue throughout the code.
296	Restaurant, fast food. fast food restaurant, excluding those with drive-up windows.		<p>Is there a difference in function between fast food and no drive thru and a standard restaurant? Difference in turn over = more traffic? How do restaurants define themselves? How will we know the fast food places v. the non fast food places? What if we consolidate the two and instead focus on form?</p>
297	Restaurant, drive-in. Drive-in restaurant.		Needs a definition.
298	Restaurant, drive-thru. Restaurant, including those with drive-up windows.		This is listed as a "Drive-in" in the C-X zones. A little different.
299	Retail sales, accessory. Retail sale of products produced by, developed in conjunction with or normally required and used in the performance of a commercial or manufacturing operation permitted in this zone; and provided the retail sale is clearly an accessory use to the main permitted use and is conducted within the same building or if the main use is not a building then on the same property provided however, no retail sale of products may be made in conjunction with a warehousing or wholesale business.		
300	<u>Riding academy. See "Horse and equestrian training facilities and horse stables, public." in the commercial use section of this table.</u>	Riding academy.	
301	Rock crusher.		
302	Rodeo Grounds		Is this intended to be for private rodeo grounds apart from what is already listed in the above public building/park facilities?
303	Roller skating rink		See also "outdoor skating rink" above, and "recreation facility" below. Rectify.
304	Rubber welding.		

Proposed Changes: Blue Underline = Proposed Code to be Added Red Strikethrough = Existing Code to be Deleted		AV-3	A-1	A-2	A-3	F-5	F-10	F-40	FV-3	FR-1	FR-3	S-1	R-2	R-3	R-1-12	R-1-10	RE-15	RE-20	RMHP	RMH-1-6	DRR-1	C-1	C-2	C-3	CV-1	CV-2	CVR-1	M-1	M-2	M-3	MV-1	G	O-1		
1																																			
2	Agriculture and Agricultural Industry																																		
3	<u>Agriculture. Agricultural uses not otherwise more specifically regulated by this Land Use Code.</u>	P	P	P	P	P	P	P	P	P	<u>N</u>	P	P	P	P	P	P	P	<u>N</u>	<u>N</u>	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	P
4	<u>Agricultural experimentation station. Agricultural experiment station</u>	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
5	<u>Agricultural laboratory. Laboratory facility for agricultural products and soils testing.</u>	C	C	C	C	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
6	<u>Agri-tourism. agri-tourism, subject to the requirements of Section 108-21 of this Land Use Code.</u>	C	C	C	C	C	C	C	C	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
7	<u>Animal husbandry: aquaculture. Aquacultural uses, not open to the public, subject to the requirements of Section 108-7-8 of this Land Use Code</u>	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
8	<u>Animal husbandry: apiary or aviary. Apiary or aviary, not open to the public, subject to the requirements of Section 108-7-8 of this Land Use Code.</u>	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
9	<u>Animal husbandry: dairy farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</u>	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
10	<u>Animal husbandry: family food production. Animal husbandry for on-site family food production as an accessory use to a single family dwelling, and subject to the requirements of Section 108-7-8 of this Land Use Code.</u>	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	P	P	<u>N</u>	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
11	<u>Animal husbandry: fur farm, general. General fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required</u>	<u>N</u>	<u>N</u>	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
12	<u>Animal husbandry: Fur farm, chinchilla. Chinchilla fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</u>	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
13	<u>Animal husbandry: swine farm, large. Large swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</u>	<u>N</u>	<u>N</u>	<u>N</u>	C	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
14	<u>Animal husbandry: swine farm, small. Small swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</u>	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
15	<u>Animal husbandry: large-animal farm. The raising and grazing of any "large-animal farm" animal husbandry unit, except where otherwise more specifically regulated by this Land Use Code, and subject to the requirements of Section 108-7-8 of this Land Use Code. When conducted in the RE-15, RE-20, AV-3, A-1, and A-3 zones, a five acre minimum lot area is required.</u>	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
16	[Delete this use and merge with "animal husbandry: large-animal farm" above. Move qualifying standards to proposed animal husbandry section in supplemental regulations.]					P	P	P				P																							
17	<u>Animal husbandry: livestock feed yard or livestock sales yard. Livestock feed yard or livestock sales yard, subject to the requirements of Section 108-7-8 of this Land Use Code.</u>	<u>N</u>	<u>N</u>	<u>N</u>	C	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
18	<u>Animal husbandry: keeping of horses. The keeping of horses for private use only, subject to the requirements of 108-7-8. In the O-1 zone a five acre minimum devoted pasture size is required.</u>	P	P	P	P	P	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	P	P	<u>N</u>	<u>N</u>	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
19	<u>Animal husbandry: small-animal farm. Farms devoted to the production and raising of "small animal farm: animal husbandry units, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</u>	P	P	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	P	P	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
20	[Delete this use and merge with "animal husbandry: small scale slaughtering" below]																																		

1	Proposed Changes: Blue Underline = Proposed Code to be Added Red Strikethrough = Existing Code to be Deleted	AV-3	A-1	A-2	A-3	F-5	F-10	F-40	FV-3	FR-1	FR-3	S-1	R-2	R-3	R-1-12	R-1-10	RE-15	RE-20	RMHP	RMH-1-6	DRR-1	C-1	C-2	C-3	CV-1	CV-2	CVR-1	M-1	M-2	M-3	MV-1	G	O-1				
21	<u>Animal husbandry: small scale slaughtering.</u> The small scale commercial slaughtering, dressing, and marketing of "small-animal farm" animal husbandry units, as an accessory use to a "small-animal farm," and subject to the requirements of Section 108-7-8 of this Land Use Code.	C	C	C	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>			
22	<u>Animal slaughtering.</u> See "slaughterhouse" in commercial use section of this table.																																				
23	<u>Botanical or zoological garden.</u> A botanical or zoological garden, subject to applicable requirements of Section 108-7-8 of this Land Use Code if any animals are onsite.	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	P	
24	<u>Grain storage elevator.</u> A grain storage elevator, for storing and conditioning large amounts of grain. Five acre minimum lot area is required.	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
25	<u>Greenhouse, agricultural.</u> A greenhouse or nursery, accessory to an agricultural use, limited to the sale of product produced on the premises. No retail shop.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
26	<u>Greenhouse, noncommercial.</u> A noncommercial greenhouse, intended for the private use of participating persons who reside in the vicinity.	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
27	<u>Greenhouse, commercial.</u> See "greenhouse, commercial" in commercial use section of this land use table.																																				
28	<u>Horse and equestrian training and facilities, private.</u> Horse and equestrian training and training facility, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.	C	C	C	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
29	<u>Horse and equestrian training and facilities, public.</u> See "Horse and equestrian training facilities and horse stables, public." in the commercial use section of this table.			P	P																																
30	<u>Produce stand, agricultural.</u> A produce stand intended for the sales of agricultural products. In the AV-3, A-1, A-2, and A-3 zones it is limited to product produced on the premises only.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
31	<u>Produce storage and packing facility, agricultural.</u> A facility for the storage and packing of agricultural product produced onsite, as an accessory use to an agricultural operation. Five acre minimum lot area is required.	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
32	[Delete this use and merge with soil composting below]				C																																
33	<u>Stable, corral, or enclosure for the keeping of animals husbandry units.</u> Stable, corral, or building for the keeping of the specific animals or fowl identified by this Land Use Code as an animal husbandry use. This shall include stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animals or fowl, and shall comply with Section 108-7-8 of this Land Use Code. This use shall be accessory to an allowed animal husbandry use.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
34	<u>Stable, private horse.</u> Private horse stable, accessory to both the "keeping of horses" and a "single family dwelling" or other main building, for the purposes defined in Section 101-1-7 and in compliance with Section 108-7-8 of this Land Use Code.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
35	<u>Stable, public.</u> See "Horse and equestrian training facilities and horse stables, public." in the commercial use section of this table.			P	P																																
36	<u>Soil composting.</u> Soil composting and manufacturing, including manure spreading and drying, for the purpose of commercial sales. 10 acre minimum lot area required.	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
37	<u>Sugar beet station.</u> Sugar beet loading or collection station, and in the A-2 and A-3 zones, sugar beet dumpsites.	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
38	Commercial and Industrial																																				
39	Academies/studios for dance, art, sports, etc.																																				
40	Agricultural implement repair.																																			P	

1	Proposed Changes: <u>Blue Underline</u> = Proposed Code to be Added Red Strikethrough = Existing Code to be Deleted	AV-3	A-1	A-2	A-3	F-5	F-10	F-40	FV-3	FR-1	FR-3	S-1	R-2	R-3	R-1-12	R-1-10	RE-15	RE-20	RMHP	RMH-1-6	DRR-1	C-1	C-2	C-3	CV-1	CV-2	CVR-1	M-1	M-2	M-3	MV-1	G	O-1		
		122	<u>Dairy. A dairy or creamery, for the processing of dairy products. In the A-3 zone a five acre minimum lot area is required.</u>	IZ	IZ	IZ	P	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	IZ	P	P	P	IZ	IZ	IZ
123	Dance hall																						N	N	C				C	C	C				
124	Day spa/fitness center.																										P								
125	Data processing service and supplies																						N	P	P	N	P		P	P	P				
126	Delicatessen																					P	P	P	P	P	P	P	P	P	P				
127	Department store																						N	P	P				P	P	P				
128	Detective agency																						P	P	P				P	P	P				
129	Diaper service, including cleaning																						N	P	P	N	P		P	P	P				
130	Dog breeding, dog kennels, or dog training school. <i>*In the AV-3, A-1, A-2, and A-3 zones: Not exceeding ten dogs of more than ten weeks old, per acre, at any time. Any building or enclosure for animals shall be located not less than 100 feet from a public street and not less than 50 feet from any side or rear property line. *In the AV-3 zone: Dog breeding and dog kennels may be conducted on a legal nonconforming lot or parcel provided there is a two acre minimum lot area, that the use is accessory to a single family dwelling, and that the use shall not exceed 10 dogs of more than 10 weeks old. *In the A-1 and A-2 zones: Two acre minimum lot area.</i>	C	C	C	P																								P	P	P				
131	Distillery.																																P		
132	Drapery and curtain store																						N	P	P	N	P		P	P	P				
133	Drinking establishment																					P													
134	Drive it yourself agency or business																						N	P	P				P	P	P				
135	Drugstore																						P	P	P	P	P		P	P	P				
136	Dry cleaning establishment																						N	N	P	P	P		P	P	P				
137	Dry cleaning plant.																												P	P	P				
138	Dry cleaning pick up station.																						P	P	P	P	P	C	P	P	P				
139	Egg and poultry store, providing no live bird slaughtering or eviscerating permitted																						P	P	P				P	P	P				
140	Egg handling, processing and sales.																												P	P	P				
141	Electric appliances and/or electronic instruments assembling.																												P	P	P				
142	Electrical and heating appliances and fixtures sales and service																						N	P	P	N	P		P	P	P				
143	Electronic equipment sales and service																						N	P	P	N	P		P	P	P				
144	Employment agency																						N	P	P	N	P		P	P	P				
145	Express and transfer service																						N	N	C				C	C	C				
146	Express office.																												P	P	P				
147	Fabric and textile store																						P	P	P	C	P		P	P	P				
148	Farm implement sales																						N	N	P	N	C		P	P	P	P			
149	Fat rendering. <i>*Provided it is located at least 600 feet from any zone boundary.</i>																													C	C				
150	Feed and seed store, retail																									N	P								
151	Feed, cereal or flour mill.																													P	C				
152	Fertilizer and soil conditioner manufacture, processing and/or sales, providing only non-animal products and by products are used																												C	C	C				
153	Film exchange establishment																						P	P	P				P	P	P				
154	Fitness, athletic, health, recreation center, or gymnasium [CV-X]																									N	P								

Proposed Changes: <u>Blue Underline = Proposed Code to be Added</u> Red Strikethrough = Existing Code to be Deleted		AV-3	A-1	A-2	A-3	F-5	F-10	F-40	FV-3	FR-1	FR-3	S-1	R-2	R-3	R-1-12	R-1-10	RE-15	RE-20	RMHP	RMH-1-6	DRR-1	C-1	C-2	C-3	CV-1	CV-2	CVR-1	M-1	M-2	M-3	MV-1	G	O-1	
155	Five and ten cent store																					P	P	P				P	P	P				
156	Forage plant or foundry.																																	
157	Foundry, casting light weight, non-ferrous metal without causing noxious odors or fumes																											C	C	C				
158	Flooring sales and service, carpet, rug and linoleum																						N	P	P	N	P		P	P	P			
159	Florist shop.																						P	P	P	C	P	P	P	P	P			
160	Freighting, <u>[Draying M-1]</u> , or trucking yard or terminal.																											C	P	P				
161	Frozen food lockers, incidental to a grocery store or food business																						P	P	P				P	P	P			
162	Fruit or vegetable store																						P	P	P	P	P		P	P	P			
163	Fueling station/gas station																					P												
164	Fur apparel sales, storage or repair																						N	P	P	N	P		P	P	P			
165	Furniture sales and repair																						N	P	P	N	P		P	P	P			
166	Garden supplies and plant materials sales																						P	P	P	C	P		P	P	P	P		
167	Gift store <u>[C-X, CV-X]</u> , Gift shop, boutique <u>[CVR-1]</u> .																						P	P	P	P	P	P	P	P	P			
168	Glass sales and service																						P	P	P	N	P		P	P	P			
169	Glass manufacturing																											C	C	C				
170	Go cart racing or drag strip racing.																												C	C				
171	<u>Greenhouse, commercial. A greenhouse or nursery intended for retail or wholesale sales. In the AV-3, A-1, A-2 zones the greenhouse and nursery shall be limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.</u>	C	C	C	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	N	P	P	N	P	<u>N</u>	P	P	P	P	<u>N</u>	<u>N</u>
172	Grocer, neighborhood market <u>[DRR-1]</u> , small grocery store <u>[CVR-1]</u>																					P						P						
173	Grocery store or supermarket																						P	P	P	C	P		P	P	P			
174	Gunsmith																						N	P	P	P	P		P	P	P			
175	Gun club <i>*In the A-3 zone: five acre minimum lot area.</i>			C	C																	C												
176	Gymnasium																						N	P	P				P	P	P	P		
177	Hardware stores																						N	P	P	N	P		P	P	P			
178	Health club																						N	P	P				P	P	P			
179	Health food store																						P	P	P	P	P		P	P	P			
180	Heliport, subject to the following standards: <i>*In the F-40 and DRR-1 zones: A heliport must be located at and elevation of at least 6,200 feet above sea level. A heliport must be located at least 200 feet from any [property line in the F-40 zone, or resort boundary in the DRR-1 zone]. The planning commission may grant exceptions to the setback requirement if it can be demonstrated that locating the heliport closer than 200 feet to the [property line F-40 zone, or resort boundary in DRR-1 zone] provides a more beneficial situation for purposes of safety, noise abatement, access, or other valid reasons as determined by the planning commission. The heliport landing surface must be dust-proof and free from obstructions. Prior to issuance of a conditional use permit for a heliport, written approval from the Federal Aviation Administration (FAA) is required, if necessary.</i> <i>*In the F-40 zone: a. A heliport must be located on a single parcel of record which is not less than 40 acres in area.</i>							C														C	N	C	C			C	C	C				

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		181	Hobby and crafts store																						P	P	P	P	P		P	P	P		
182	Honey extraction.																													P	P	P			
183	<u>Horse or equestrian event center. A horse or equestrian event center, including indoor concessions as an accessory use. Subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code.</u>	N	N	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
184	<u>Horse and equestrian training facility or horse stable, public. A public equestrian training facility or public horse stable. This use is subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code. A 10 acre minimum lot area is required in the AV-3 and A-1 zones. A five acre minimum lot area is required in the A-2 and A-3 zones.</u>	C	C	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	C	N	N	N	N	N	N	
185	Horse feedstore and haystack yard.																											C							
186	Hospital supplies																							N	P	P				P	P	P			
187	House cleaning and repair																							N	P	P	N	P		P	P	P			
188	House equipment display																							N	P	P				P	P	P			
189	Household appliance sales and incidental service																							N	P	P	N	C		P	P	P			
190	Ice cream manufacture																							N	N	P				P	P	P			
191	Ice cream parlor																							P	P	P	P	P		P	P	P			
192	Ice manufacture and storage																							N	N	P				P	P	P			
193	Ice store or vending station																							P	P	P				P	P	P			
194	Incinerator, nonaccessory, provided that no objectionable fumes and odors are emitted.																														C	C			
195	Insulation sales																							N	P	P	N	P		P	P	P			
196	Insurance agency																							N	P	P				P	P	P			
197	Interior decorator and designing establishment																							N	P	P	P	P		P	P	P			
198	Janitor service and supply																							N	P	P				P	P	P			
199	Jewelry store sales and service																							P	P	P	P	P		P	P	P			
200	Junk or salvage yard, provided the use is enclosed with a seven foot high solid fence or wall. <i>*Provided it is located at least 600 feet from any zone boundary.</i>																														C	C			
201	Knitting mills																							N	N	C				P	P	P			
202	Laboratory																													P	P	P			
203	Laboratory, dental or medical																							N	P	P	N	P		P	P	P			
204	Laundromat																					P		P	P	P	P	P		P	P	P			
205	Laundry or dry cleaning establishment																							N	N	P				P	P	P			
206	Lawn mower sales and service																							N	P	P	N	P		P	P	P	P		
207	Leather goods, sales and service																							N	P	P				P	P	P			
208	Legal office																							N	P	P				P	P	P			
209	Linen store																							N	P	P	N	P		P	P	P			
210	Linen supply service																							N	N	P				P	P	P			
211	Liquor store.																						P	N	C	C	N	C	C	C	C	C			
212	Locksmith																							P	P	P	P	P		P	P	P			
213	Lodge or social hall																							N	P	P	N	P		P	P	P			
214	Lounge																							N	N	C				C	C	C			
215	Luggage store																							N	P	P				P	P	P			
216	Lumber yard																							N	N	C				C	C	C			

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		268	Pawnshop																					N	N	P				P	P	P			
269	Penny arcade																						N	N	C				C	C	C				
270	Pest control and extermination																						N	P	P	N	P		P	P	P	P			
271	Pet, pet grooming, and pet supply store.																						N	P	P	N	P	C	P	P	P				
272	Petroleum refining and storage.																												C	C					
273	Petting zoo where accessed by a collector road as shown on the county road plan.	C																																	
274	Pharmacy																					P	P	P	P	P	P		P	P	P				
275	Photographic supplies																						P	P	P				P	P	P				
276	Photo studio																						P	P	P	P	P		P	P	P				
277	Physician or surgeon																						P	P	P				P	P	P				
278	Pie manufacture																						N	P	P				P	P	P				
279	Planing mill.																												P	P	P				
280	Plumbing shop																						N	C	P	N	P		P	P	P	P			
281	Pony ring, without stables	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	
282	Popcorn or nut shop																						P	P	P				P	P	P				
283	Post office																						C	P	P	C	P		P	P	P				
284	Pottery, sales and manufacture of crafts and tile																									N	P								
285	Printing, lithographing, publishing or reproductions sales and services [C-X], Printing, copy sales and services [CV-X]. Lithographing, including engraving and photo engraving [M-X and MV-X].																						N	C	P	N	P		P	P	P	P			
286	Private club, private liquor club																					P	N	N	C	N	C		C	C	C				
287	<u>Produce stand, commercial. A commercial produce stand intended for the sales of agricultural products.</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	
288	Professional office																						N	P	P	N	P		P	P	P				
289	Radio and television sales and service																						C	P	P	C	P		P	P	P				
290	Railroad yards, shop and/or roundhouse.																													C	C				
291	Real estate office.																						P	N	P	P	C	P	C	P	P	P			
292	Reception center or wedding chapel																						N	C	P	N	C		P	P	P				
293	Rental, equipment [CV-X]. Rental agency for home and garden equipment [C-X and MV-1].																						N	P	P	N	P		P	P	P	P			
294	Residential property rental and management agency for recreation resort complexes.																																		
295	<u>Restaurant, no drive-thru.</u> Restaurants, excluding those with drive-up windows.																						P	P	P	P	C	P	P	P	P				
296	<u>Restaurant, fast food.</u> fast food restaurant, excluding those with drive-up windows.																											P							
297	<u>Restaurant, drive-in.</u> Drive-in restaurant.																						N	P	P	N	C		P	P	P				
298	<u>Restaurant, drive-thru.</u> Restaurant, including those with drive-up windows.																										N	C	C						
299	<u>Retail sales, accessory.</u> Retail sale of products produced by, developed in conjunction with or normally required and used in the performance of a commercial or manufacturing operation permitted in this zone; and provided the retail sale is clearly an accessory use to the main permitted use and is conducted within the same building or if the main use is not a building then on the same property provided however, no retail sale of products may be made in conjunction with a warehousing or wholesale business.																												P	P	P				

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300	<u>Riding academy. See "Horse and equestrian training facilities and horse stables, public." in the commercial use section of this table.</u>				P																														
301	Rock crusher.																																		
302	Rodeo Grounds			C	C																														
303	Roller skating rink																						N	C	P										
304	Rubber welding.																																		
305	Skeet Shooting Range <i>*In the A-3 zone: five acre minimum lot area. *In the F-5 and F-10 zones: Skeet and trap shooting ranges are only allowed as an accessory use to public or private camps.</i>				C	C	C	C	C																										
306	Small-batch artisan food processing limited to food for human consumption, e.g., baked goods, confectioneries, and craft cheese.																																		P
307	Small brewery.																																		P
308	Smelting or refining of materials. <i>*In the M-2 zone: shall be located at least 600 feet from any zone boundary</i>																																		
309	Roofing sales or shop																						N	P	P										
310	Sand blasting.																																		
311	Second-hand store																						N	P	P	N	P								
312	Seed and feed store, retail																						N	P	P										
313	Service station.																																		
314	Self storage, indoor units for personal and household items																																		
315	Service station, automobile, excluding painting, body work, and upholstery work																																		
316	Sewing machine sale and service																																		
317	Sheet metal shop and retinning, provided all operations are conducted within completely enclosed bldg.																																		
318	Shoe repair or shoe shine shop																																		
319	Shoe store																																		
320	Shooting gallery																																		
321	Sign manufacture or sign painting																																		
322	Ski equipment, snowmobile, boat and bicycle rentals.																																		
323	Slaughterhouse <i>*In the M-2 zone: shall be located at least 600 feet from any zone boundary</i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
324	Snow plow and removal service																																		
325	Snowmobile, ATV sales and repair																																		
326	Soil and lawn service																																		
327	Spa																																		
328	Space craft and space craft parts.																																		
329	Sporting goods store. <i>*In the DRR-1 zone: Use allows for rental</i>																																		
330	Sports clothing store.																																		
331	Stockyard. <i>*In the M-2 zone: shall be located at least 600 feet from any zone boundary</i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
332	Tailor shop																																		
333	Travel agency.																																		
334	Tavern, beer pub.																																		
335	Taxicab stand																																		

Exhibit C: Proposed Code Change (Agricultural Uses), with Track Changes

2 Title 101 GENERAL PROVISIONS

3 ...

4 Sec. 101-1-7. Definitions.

5 ...

6 Agricultural experimentation station. The term "agricultural experimentation station"
7 means a scientific research center operated under the stewardship of an academic institution in
8 which scientific investigations are conducted for the advancement of agricultural productivity and
9 environmental quality.

10 Agriculture. The term "agriculture" means use of land for primarily farming and related
11 purposes such as pastures, farms, dairies, horticulture, aquaculture, animal husbandry, and crop
12 production, but not the keeping or raising of domestic pets, nor any agricultural industry [c1] or
13 business such as fruit packing plants, fur farms, animal hospitals or similar uses.

14 ...

15 Animal husbandry[c2]. The term "animal husbandry" means a branch of agriculture for the
16 raising, nurturing, management, breeding and production of domesticated farm animals, not
17 including household pets as defined by this section. Animals are bred and raised for utility (e.g.,
18 food, fur), sport, pleasure, and research.

19 Animal husbandry unit[c3]. The term "animal husbandry unit" is a domesticated farm
20 animal unit. For the purposes of calculating an animal husbandry unit, see Section 108-7-8(a).

21 ...

22 Dairy. The term "dairy" means an ~~commercial~~ establishment for the commercial
23 manufacturing ~~or~~ processing, storage, or distribution of dairy products.

24 Dairy farm. The term "dairy farm" means an agricultural operation which produces milk.

25 ...

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Family food production^[c4]. The term "family food production" means the use of animal husbandry, as defined by this section, for the sole benefit of the land owner, and not for commercial purposes. ~~[c5]keeping of not more than the following number of animals and fowl:~~

- (1)
 - Group A:
 - a. ~~2 pigs.~~
 - b. ~~2 sheep.~~
 - c. ~~2 cows.~~
 - d. ~~2 goats.~~
- (2)
 - Group B:
 - a. ~~20 rabbits.~~
 - b. ~~20 chickens.~~
 - c. ~~20 pheasants.~~
 - d. ~~10 turkeys.~~
 - e. ~~10 ducks.~~
 - f. ~~10 geese.~~
 - g. ~~20 pigeons.~~

~~Provided however, that only two kinds of group B animals and fowl may be kept on parcels of less than 40,000 square feet and not more than three kinds of group A and B animals or fowl at any one time on parcels of less than two acres. An additional number of animals and fowl as listed above may be kept for each one acre in the parcel over and above the first 40,000 square feet up to a maximum of five times the number.~~

...

61 CHAPTER 7. - SUPPLEMENTARY AND QUALIFYING REGULATIONS

- 62 Sec. 108-7-1. Purpose and intent.
- 63 Sec. 108-7-2. Projections permitted into required yard setbacks.
- 64 Sec. 108-7-3. Fencing requirements.
- 65 Sec. 108-7-4. Area of accessory building.
- 66 Sec. 108-7-5. Exceptions to height limitations.
- 67 Sec. 108-7-6. Minimum height of dwelling.
- 68 Sec. 108-7-7. Clear view of intersecting streets.
- 69 Sec. 108-7-8. ~~Animal husbandry Setbacks for animals and fowl.~~^[c6]
- 70 Sec. 108-7-9. Water and sewage requirements.
- 71 Sec. 108-7-10. Required building setback from designated collector or arterial streets.

72 ...

73 **Sec. 108-7-8. - ~~Animal husbandry~~^[c7] ~~Setbacks for of animals and fowl~~**

74 ~~No animals or fowl shall be kept or maintained closer than 40 feet from any dwelling and not closer than 75 feet from~~
 75 ~~any dwelling on an adjacent lot. Any barn, stable, coop, pen, corral, or enclosure for the housing or keeping of~~
 76 ~~animals or fowl shall be kept, constructed, or maintained not less than 100 feet from a property line adjacent to a~~
 77 ~~street and not less than 25 feet from any lot line.~~^[c8]

78 The following regulations apply to any use listed in the use table, Section 104-1-5^[c9], as or related to an
 79 animal husbandry use. They are not applicable to the keeping of household pets^[c10]. Terms emphasized
 80 in this section with quotes are uses found in the use table.

- 81 (a) Animal Husbandry Unit. For the purposes of calculating an animal husbandry unit, except where the
 82 provisions of 108-18 apply, the following number of animals constitutes one animal husbandry unit:
 - 83 (1) For a "large-animal farm" animal husbandry unit: one^[c11] cow, one horse, two swine^[c12], two
 84 sheep, two alpaca, two llamas^[c13], or two goats constitute one animal husbandry unit.
 - 85 (2) For a "small-animal farm" animal husbandry unit: twenty rabbits, twenty chickens, twenty
 86 pheasants, twenty chickens, twenty pigeons, ten turkeys, ten ducks, ten geese, 40 frogs, or
 87 ten beavers^[c14], constitute one animal husbandry unit.
 - 88 (3) For aquaculture and apiary: The number of fish and bees shall not count against an animal
 89 husbandry ^[c15]unit calculation provided compliance with 108-7-8(c)^[c16] is maintained.
 - 90 (4) For unspecified types of animals: the Zoning Administrator, upon consultation with relevant
 91 experts when necessary, has discretion to determine whether an animal is a large-animal or
 92 small-animal and how many animals constitute one animal unit based on similar typical
 93 characteristics of size, weight, food consumption, and waste production as those animals
 94 listed here.

- 95 (5) Combination of units: Where allowed by the specific animal husbandry use, a combination of
96 these animals is allowed provided the sum of the different animal husbandry units, fractional
97 or whole, does not exceed the allowed number of animal units.
- 98 (b) Setbacks for stable, corral, or enclosure for the housing or keeping of animal husbandry units [c17]
99 No stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of
100 animal husbandry units, except for beehives, shall be kept or maintained closer than 40 feet from any
101 dwelling and not closer than 75 feet from any dwelling on an adjacent lot[c18].[c19] Any stable,
102 corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animal
103 husbandry units shall be kept, constructed, or maintained not less than 100 feet from a property line
104 adjacent to a street and not less than 25 feet from any lot line.
- 105 (c) Sanitary keeping of pasture ground, stable, corral, or enclosure for the keeping of animal husbandry
106 units. Any pasture ground, stable, corral, and other facility for the keeping of animal husbandry units,
107 fractional or whole, shall be kept in a sanitary manner such that it does not pose a health risk to
108 persons onsite and follows generally accepted animal husbandry cleanliness[c20] standards.
- 109 (d) Dairy farm. For an animal husbandry use listed as "dairy farm" in Section 104-1-5[c21], at least 50
110 percent of the milk processed and sold shall be produced on the premises.
- 111 (e) Family food production.[c22] For an animal husbandry use listed as "family food production" in
112 Section 104-1-5[c23], the following regulations apply:[c24]
- 113 (1) For lots less than 20,000 square feet, no "large-animal farm" animal husbandry unit and a
114 maximum of one-half of a "small-animal farm" animal husbandry unit shall be
115 permitted[c25]; and
- 116 (2) For lots between 20,000 square feet and less than 40,000 square feet, no "large-animal
117 farm" animal husbandry unit and a maximum of two "small-animal farm" animal
118 husbandry units shall be permitted; and
- 119 (3) For lots between 40,000 square feet and less than two acres, no more than one "large-
120 animal farm" animal husbandry unit and two "small-animal farm" animal husbandry units,
121 or some proportionate ratio combination thereof, shall be permitted; and
- 122 (4) One additional animal husbandry unit, in any ratio combination thereof, is permitted for
123 every acre after two, up to a maximum of five total animal husbandry units for the entire
124 lot.
- 125 (f) Reserved.[c26]
- 126 (g) Keeping of horses. For an animal husbandry use listed as "keeping of horses" in Section 104-1-
127 5[c27], the following restrictions apply:
- 128 (1) Where allowed in the F-5, F-10, and F-40 zones, there shall be up to a maximum of one
129 horse allowed per each 40,000 [c28]square feet of devoted pasture ground.

- 130 (2) Where allowed in the RE-15, RE-20, FV-3, FR-1, O-1, and DRR-1 zones, there may be up to
131 a maximum of two horses per each 40,000 [c29]square feet of devoted pasture ground.
- 132 (3) Where allowed in the AV-3, A-1, A-2, and A-3 zones, there may be up to a maximum of two
133 horses per each 20,000 [c30]square feet of devoted pasture ground.
- 134 (h) Large-animal farm. For an animal husbandry use listed as "large-animal farm" in Section 104-1-
135 5[c31], the following restrictions apply:
- 136 (1) Where allowed in the RE-15 and RE-20 zones, the raising and grazing of any "large-
137 animal farm" animal husbandry unit shall not be a part, nor conducted in conjunction with
138 any "livestock feed yard or livestock sales yard," "slaughterhouse," or any animal by-
139 products business.
- 140 (2) Where allowed in the AV-3, A-1, A-2, and A-3 zones[c32], when the raising and grazing of
141 any "large-animal farm" animal husbandry unit is carried on with an allowed "stable,
142 corral, or enclosure for the keeping of animals husbandry units" then the following
143 restrictions apply to the stable, corral, or enclosure:
- 144 a. Stabling, corralling or enclosing animal husbandry units to the density specified in
145 this subsection (108-7-8(g)(2)) shall only be permitted between September 15
146 through April 15, and shall not include the erection of any permanent fences,
147 corrals, chutes, structures, or buildings normally associated with a "livestock feed
148 yard or livestock sales yard."
- 149 b. In the AV-3 zone: it shall not exceed a density of 25 head per acre of devoted
150 pasture ground, and shall be no closer than 200 feet from any dwelling, or public
151 or semi-public building on an adjoining parcel of land.
- 152 c. In the A-1 zone: it shall not exceed a density of 25 head per acre of devoted
153 pasture ground, and shall be no closer than 300 feet from any dwelling, or public
154 or semi-public building on an adjoining parcel of land.
- 155 d. In the A-2 zone: it shall not exceed a density of 40 head per acre of devoted
156 pasture ground, and shall be no closer than 200 feet from any dwelling, or public
157 or semi-public building on an adjoining parcel of land.
- 158 e. In the A-3 zone: it shall not exceed a density of 40 head per acre of devoted
159 pasture ground, and shall be no closer than 200 feet from any dwelling, or public
160 or semi-public building on an adjoining parcel of land.
- 161 (3) Where allowed in the F-5, F-10, F-40, and S-1 zones the raising and grazing of any
162 "large-animal farm" animal husbandry unit is limited to one "large-animal farm" animal
163 husbandry unit per acre of devoted pasture ground.
- 164 (i) Reserved. [c33]

- 165 (j) Swine farms. For an animal husbandry use listed as "swine farm, large" or "swine farm, small" in
166 Section 104-1-5[c34], the following provisions apply:
- 167 (1) Large swine farm: No person shall feed any swine any market refuse, home refuse,
168 garbage or offal other than that produced on the premises. All pens and housing for
169 swine shall be concrete and maintained in a sanitary manner, and drainage structures
170 and disposal of animal waste shall be provided and properly maintained.
- 171 (2) Small swine farm: no more than ten swine, more than 16 weeks old, are permitted. No
172 person shall feed any swine any market refuse, home refuse, garbage or offal other than
173 that produced on the premises.
- 174 (k) Small-animal farm. For an animal husbandry use listed as "small-animal farm" in Section 104-1-
175 5[c35], the following restrictions apply: [ANY[c36] STANDARDS ?][c37]
- 176 ...
- 177 |
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Exhibit D: Proposed Code Change (Agricultural Uses), Clean Copy

1 ...

2 **Title 101 GENERAL PROVISIONS**

3 ...

4 **Sec. 101-1-7. Definitions.**

5 ...

6 *Agricultural experimentation station.* The term "agricultural experimentation station"
7 means a scientific research center operated under the stewardship of an academic institution in
8 which scientific investigations are conducted for the advancement of agricultural productivity and
9 environmental quality.

10 *Agriculture.* The term "agriculture" means use of land for primarily farming and related
11 purposes such as pastures, farms, dairies, horticulture, aquaculture, animal husbandry, and crop
12 production, but not the keeping or raising of domestic pets, nor any agricultural industry or
13 business such as fruit packing plants, fur farms, animal hospitals or similar uses.

14 ...

15 *Animal husbandry.* The term "animal husbandry" means a branch of agriculture for the
16 raising, nurturing, management, breeding and production of domesticated farm animals, not
17 including household pets as defined by this section. Animals are bred and raised for utility (e.g.,
18 food, fur), sport, pleasure, and research.

19 *Animal husbandry unit.* The term "animal husbandry unit" is a domesticated farm animal
20 unit. For the purposes of calculating an animal husbandry unit, see Section 108-7-8(a).

21 ...

22 *Dairy.* The term "dairy" means an establishment for the commercial manufacturing,
23 processing, storage, or distribution of dairy products.

24 *Dairy farm.* The term "dairy farm" means an agricultural operation which produces milk.

25 ...

26 *Family food production.* The term "family food production" means the use of animal husbandry, as
 27 defined by this section, for the sole benefit of the land owner, and not for commercial purposes.
 28 ...

29 **CHAPTER 7. - SUPPLEMENTARY AND QUALIFYING REGULATIONS**

- 30 Sec. 108-7-1. Purpose and intent.
- 31 Sec. 108-7-2. Projections permitted into required yard setbacks.
- 32 Sec. 108-7-3. Fencing requirements.
- 33 Sec. 108-7-4. Area of accessory building.
- 34 Sec. 108-7-5. Exceptions to height limitations.
- 35 Sec. 108-7-6. Minimum height of dwelling.
- 36 Sec. 108-7-7. Clear view of intersecting streets.
- 37 Sec. 108-7-8. Animal husbandry Sec. 108-7-9. Water and sewage requirements.
- 38 Sec. 108-7-10. Required building setback from designated collector or arterial streets.
- 39 ...

40 **Sec. 108-7-8. - Animal husbandry**

41

42 The following regulations apply to any use listed in the use table, Section 104-1-5, as or related to an
 43 animal husbandry use. They are not applicable to the keeping of household pets. Terms emphasized in
 44 this section with quotes are uses found in the use table.

- 45 (a) Animal Husbandry Unit. For the purposes of calculating an animal husbandry unit, except where the
 46 provisions of 108-18 apply, the following number of animals constitutes one animal husbandry unit:
- 47 (1) For a "large-animal farm" animal husbandry unit: one cow, one horse, two swine, two sheep,
 48 two alpaca, two llamas, or two goats constitute one animal husbandry unit.
- 49 (2) For a "small-animal farm" animal husbandry unit: twenty rabbits, twenty chickens, twenty
 50 pheasants, twenty chickens, twenty pigeons, ten turkeys, ten ducks, ten geese, 40 frogs, or
 51 ten beavers, constitute one animal husbandry unit.
- 52 (3) For aquaculture and apiary: The number of fish and bees shall not count against an **animal**
 53 **husbandry unit calculation provided compliance with 108-7-8(c) is maintained.**
- 54 (4) For unspecified types of animals: the Zoning Administrator, upon consultation with relevant
 55 experts when necessary, has discretion to determine whether an animal is a large-animal or
 56 small-animal and how many animals constitute one animal unit based on similar typical

57 characteristics of size, weight, food consumption, and waste production as those animals
58 listed here.

59 (5) Combination of units: Where allowed by the specific animal husbandry use, a combination of
60 these animals is allowed provided the sum of the different animal husbandry units, fractional
61 or whole, does not exceed the allowed number of animal units.

62 (b) Setbacks for stable, corral, or enclosure for the housing or keeping of animal husbandry units. No
63 stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animal
64 husbandry units, except for beehives, shall be kept or maintained closer than 40 feet from any
65 dwelling and not closer than 75 feet from any dwelling on an adjacent lot. Any stable, corral, barn,
66 building, coop, pen, or any other enclosure for the housing or keeping of animal husbandry units shall
67 be kept, constructed, or maintained not less than 100 feet from a property line adjacent to a street
68 and not less than 25 feet from any lot line.

69 (c) Sanitary keeping of pasture ground, stable, corral, or enclosure for the keeping of animal husbandry
70 units. Any pasture ground, stable, corral, and other facility for the keeping of animal husbandry units,
71 fractional or whole, shall be kept in a sanitary manner such that it does not pose a health risk to
72 persons onsite and follows generally accepted animal husbandry cleanliness standards.

73 (d) Dairy farm. For an animal husbandry use listed as "dairy farm" in Section 104-1-5, at least 50 percent
74 of the milk processed and sold shall be produced on the premises.

75 (e) Family food production. For an animal husbandry use listed as "family food production" in Section
76 104-1-5, the following regulations apply:

77 (1) For lots less than 20,000 square feet, no "large-animal farm" animal husbandry unit and a
78 maximum of one-half of a "small-animal farm" animal husbandry unit shall be permitted;
79 and

80 (2) For lots between 20,000 square feet and less than 40,000 square feet, no "large-animal
81 farm" animal husbandry unit and a maximum of two "small-animal farm" animal
82 husbandry units shall be permitted; and

83 (3) For lots between 40,000 square feet and less than two acres, no more than one "large-
84 animal farm" animal husbandry unit and two "small-animal farm" animal husbandry units,
85 or some proportionate ratio combination thereof, shall be permitted; and

86 (4) One additional animal husbandry unit, in any ratio combination thereof, is permitted for
87 every acre after two, up to a maximum of five total animal husbandry units for the entire
88 lot.

89 (f) Reserved.

90 (g) Keeping of horses. For an animal husbandry use listed as "keeping of horses" in Section 104-1-5, the
91 following restrictions apply:

- 92 (1) Where allowed in the F-5, F-10, and F-40 zones, there shall be up to a maximum of one
93 horse allowed per each 40,000 square feet of devoted pasture ground.
- 94 (2) Where allowed in the RE-15, RE-20, FV-3, FR-1, O-1, and DRR-1 zones, there may be up to
95 a maximum of two horses per each 40,000 square feet of devoted pasture ground.
- 96 (3) Where allowed in the AV-3, A-1, A-2, and A-3 zones, there may be up to a maximum of two
97 horses per each 20,000 square feet of devoted pasture ground.
- 98 (h) Large-animal farm. For an animal husbandry use listed as "large-animal farm" in Section 104-1-5, the
99 following restrictions apply:
- 100 (1) Where allowed in the RE-15 and RE-20 zones, the raising and grazing of any "large-
101 animal farm" animal husbandry unit shall not be a part, nor conducted in conjunction with
102 any "livestock feed yard or livestock sales yard," "slaughterhouse," or any animal by-
103 products business.
- 104 (2) Where allowed in the AV-3, A-1, A-2, and A-3 zones, when the raising and grazing of any
105 "large-animal farm" animal husbandry unit is carried on with an allowed "stable, corral, or
106 enclosure for the keeping of animals husbandry units" then the following restrictions apply
107 to the stable, corral, or enclosure:
- 108 a. Stabling, corralling or enclosing animal husbandry units to the density specified in
109 this subsection (108-7-8(g)(2)) shall only be permitted between September 15
110 through April 15, and shall not include the erection of any permanent fences,
111 corrals, chutes, structures, or buildings normally associated with a "livestock feed
112 yard or livestock sales yard."
- 113 b. In the AV-3 zone: it shall not exceed a density of 25 head per acre of devoted
114 pasture ground, and shall be no closer than 200 feet from any dwelling, or public
115 or semi-public building on an adjoining parcel of land.
- 116 c. In the A-1 zone: it shall not exceed a density of 25 head per acre of devoted
117 pasture ground, and shall be no closer than 300 feet from any dwelling, or public
118 or semi-public building on an adjoining parcel of land.
- 119 d. In the A-2 zone: it shall not exceed a density of 40 head per acre of devoted
120 pasture ground, and shall be no closer than 200 feet from any dwelling, or public
121 or semi-public building on an adjoining parcel of land.
- 122 e. In the A-3 zone: it shall not exceed a density of 40 head per acre of devoted
123 pasture ground, and shall be no closer than 200 feet from any dwelling, or public
124 or semi-public building on an adjoining parcel of land.
- 125 (3) Where allowed in the F-5, F-10, F-40, and S-1 zones the raising and grazing of any
126 "large-animal farm" animal husbandry unit is limited to one "large-animal farm" animal
127 husbandry unit per acre of devoted pasture ground.

- 128 (i) Reserved.
- 129 (j) Swine farms. For an animal husbandry use listed as "swine farm, large" or "swine farm, small" in
130 Section 104-1-5, the following provisions apply:
- 131 (1) Large swine farm: No person shall feed any swine any market refuse, home refuse,
132 garbage or offal other than that produced on the premises. All pens and housing for
133 swine shall be concrete and maintained in a sanitary manner, and drainage structures
134 and disposal of animal waste shall be provided and properly maintained.
- 135 (2) Small swine farm: no more than ten swine, more than 16 weeks old, are permitted. No
136 person shall feed any swine any market refuse, home refuse, garbage or offal other than
137 that produced on the premises.
- 138 (k) Small-animal farm. For an animal husbandry use listed as "small-animal farm" in Section 104-1-5, the
139 following restrictions apply: [ANY STANDARDS ?]
- 140 ...
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- 142
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Weber County Land Use Code Revision Process Workflow

This flowchart is intended to illustrate the intended course of the revision process. It is not an absolute plan, and deviations may occur as more information is gathered, but it will provide the Planning Commission with an idea where we are in the process at any given time. Staff will refer to this structure regularly.

